



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709
www.exeternh.gov

LEGAL NOTICE EXETER PLANNING BOARD AGENDA

The Exeter Planning Board will meet virtually via ZOOM (see connection info below*) on Thursday, May 28, 2020 at 7:00 P.M. to consider the following:

APPROVAL OF MINUTES: May 14, 2020

NEW BUSINESS: PUBLIC HEARINGS

The application of Gateway at Exeter, LLC for a proposed lot line adjustment and subdivision at 170 Epping Road. The lot line adjustment will transfer 2.10 acres of land from Tax Map parcel #47-7 to Tax Map parcel #47-6; and subsequently a proposed subdivision of Tax Map parcel #47-7 into two lots in conjunction with a mixed use development being proposed for the site. The subject parcels are located in the C-3, Epping Road Highway Commercial zoning district. PB Case #19-15.

The application of Gateway at Exeter, LLC for a site plan review and a Wetlands Conditional Use Permit for the proposed construction of a mixed-use development at 170 Epping Road (TM #47-6 and #47-7). The proposal includes a 224-unit multi-family residential complex, a 2-story 48,560 square foot mixed use building that may include a 20,040 YMCA day care facility, office/retail space and possibly a restaurant along with associated site improvements. The subject parcels are located in the C-3, Epping Road Highway Commercial zoning district. PB Case #19-16.

OTHER BUSINESS

EXETER PLANNING BOARD

Langdon J. Plumer, Chairman

Posted 05/15/20: Exeter Hall Kiosk and Town of Exeter Website

***ZOOM MEETING INFORMATION:**

- *Virtual Meetings can be watched on Channel 22 and on Exeter TV's Facebook and YouTube pages.*
- *To participate in public comment, click this link: <https://exeternh.zoom.us/j/86793119492>*
- *To participate via telephone, call: +1 646 558 8656 and enter the Webinar ID: 867 9311 9492*
- *Use the "Raise Hand" button to alert the chair you wish to speak. On the phone, press *9.*
- *More instructions for how to participate can be found here: <https://www.exeternh.gov/townmanager/virtual-town-meetings>*
- *Contact Bob Glowacky at rglowacky@exeternh.gov or 603-418-6425 with any technical issues.*

TOWN OF EXETER

PLANNING BOARD

MAY 14, 2020

VIRTUAL MEETING

DRAFT MINUTES

Zoom ID: 208-058-2669

Phone: 1 616 558 8656

I. PRELIMINARIES:

BOARD MEMBERS PRESENT BY ROLL CALL: Chair Langdon Plumer, Vice-Chair Aaron Brown, Pete Cameron, Clerk, Gwen English, John Grueter, Jen Martel, Molly Cowan, Select Board Representative, Pete Steckler, Alternate, Robin Tyner, Alternate and Nancy Belanger, Alternate.

STAFF PRESENT: Town Planner Dave Sharples

II. CALL TO ORDER: Chair Plumer called the meeting to order at 7:12 PM and read out loud the meeting preamble which indicated that an emergency exists and the provisions of RSA 91-A:2 III (b) are being invoked. As federal, state and local officials have determined gatherings of ten or more people pose a substantial risk to the community and the meeting imperative to the continued operation of Town and government and services which are vital to public, health, safety and confidence. This meeting will be conducted without a quorum physically present in the same location and welcome members of the public accessing the meeting remotely.

III. OLD BUSINESS

APPROVAL OF MINUTES

February 13, 2020

Mr. Grueter motioned to approve the February 13, 2020 minutes as amended. Ms. Martel seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye, Cowan - abstain. With 6 in favor and 1 abstention, approved 6-0-1.

IV. NEW BUSINESS

PUBLIC HEARINGS

1. The application of Brian Griset for review of a Yield Plan in conjunction with a proposed 16-unit single-family condominium open space development and associated site improvements on property located off of Tamarind Lane and Cullen Way.

Tax Map Parcels: #96-15 and #81-53

R-1, Low Density Residential and

NP – Neighborhood Professional zoning districts
Case #20-2

Chair Plumer read out loud the Public Hearing Notice.

Ms. English motioned to accept Planning Board Case #20-2 for Yield Plan review. Mr. Cameron seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye, Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.

Mr. Sharples noted the applicant has submitted a Yield Plan in advance of an Open Space Development as required per Section 7.7.1 of the Zoning Ordinance. The subject parcel is located off Tamarind Lane and Cullen Way in the R-1, Low Density Residential Zoning District, drawing density from the contiguous unimproved parcel in the NP Neighborhood Professional district.

Mr. Sharples noted the applicant received a Special Exception from the Zoning Board of Appeals on January 21, 2020 to permit residential use of the 30.76-acre parcel within the NP Neighborhood Professional Zoning District.

Mr. Sharples noted the applicant also received a Variance from Section 4.3 of the Zoning Ordinance to permit a single-family open space development in the R-1 Zoning District.

Mr. Sharples noted a Yield Plan needs to be designed in accordance with Section 7.13 of the Site Plan Review and Subdivision Regulations, which he provided to the Board noting it is not fully complete. Mr. Sharples noted the Planning Department reviewed the Yield Plan which has been revised since submission and attached the latest plan dated 2/20/2020.

Mr. Sharples included TRC comments and indicated when the Yield Plan is accepted by the Board the applicant will submit an Open Space Development Plan which can be reviewed at that time.

Mr. Sharples noted the Yield Plan was reviewed by third-party engineer, UEI via email and the email thread is provided to the Board for review. Allison Reese from UEI discussed the size of the building envelope. However Exeter's regulations do not stipulate a minimum building envelope size but, during two prior Yield Plan reviews the Board determined the plan show that a 25'x25' structure should be able to fit within the building envelope to be considered a viable lot. The applicant has addressed all staff and UEI comments. The applicant has submitted a letter from Attorney Justin Pasay dated February 26, 2020 with a cost estimate and letter of Gove Group to determine the financial feasibility of the project.

Mr. Sharples noted a waiver from the 100' perimeter buffer requirement (Section 9.6.2 of the Site Plan Review and Subdivision Regulations) is requested for Lot 5 to be a viable lot. Without a waiver Lot 5 would not have a viable building envelope. As such, the applicant has provided two Yield Plans asking the Board to accept the one with the 50' buffer which requires the 100' perimeter buffer waiver. A copy of the criteria for granting a waiver in Section 9.6.2 was provided to the Board for review.

86 Attorney Justin Pasay indicated he was present with Christian Smith from Beals Associates and Brian
87 Grisett. Attorney Pasay noted the project builds off the design plan they had earlier and he plans to
88 discuss the waiver specifics and a claim by a member of the public that a yield plan does not require a
89 variance. The legal opinion was provided and plan to supplement file with view on that issue and would
90 ask to continue to the next available meeting.

91
92 Attorney Pasay indicated they have met with Conservation Commission and ZBA, looking at Phase 3 of
93 development of subdivision which includes 2 new lots (now 18) all served by municipal water and sewer.
94 The proposal includes three pieces of property: Grisett property, unimproved Conservation property and
95 Brickyard Park property which is Town-owned. The Conservation space and open space to Town have
96 been in the works for a long time. Have had discussions with neighborhood. Letters of support for
97 development were included. There are 68.83 acres between three properties, 23.6 acres of uplands.
98 The wetlands encroachment has been limited to less than one-third of an acre. The standard is to prove
99 is reasonable and feasible. All comments have been addressed.

100
101 Christian Smith of Beals Associates indicated the project is pretty similar to the preliminary meeting.
102 Some precise calculations were done and added utilities, driveways, cul-de-sac (to minimize wetlands
103 impact) detailed viable curb-cuts, addressed TRC comments, built off preliminary discussion. Meets all
104 aspects of zoning.

105
106 Attorney Pasay noted the point of the yield plan is to determine density, not to build this, talk about that
107 if gets to Site Plan.

108
109 Ms. English asked the total wetland impact and Mr. Smith noted just over 13,000.' The design was
110 worked out on open space plan to cut under 3,000.'

111
112 Ms. English asked how much upland acreage in the open space area and Mr. Sharples responded there is
113 no open space in a yield plan, the recreation easement is shown.

114
115 Ms. English asked the calculated cost for the driveway in Lot 6 which is 900' and Ms. Smith noted the
116 total parking cost is \$90,000 all totaled and would guess it is one-tenth of that.

117
118 Ms. Tyner asked how much of uplands are used and Mr. Smith noted all is used.

119
120 Mr. Steckler asked if the driveway access easement is existing or required and Attorney Pasay noted it
121 was existing.

122
123 Mr. Steckler questioned the marketability in current conditions and requested an update to this.
124 Attorney Pasay indicated the assumption is the basic lot value of \$175,000. Post COVID lots are going
125 for \$200,000. The test comes down to who's developing and if they want to proceed. "If we didn't think
126 they'd sell, we wouldn't be continuing."

127
128 Ms. Martel asked about driveways off Route 111 and Mr. Smith noted 20' wide off 111 to property line,
129 Lot 15 splits, shared between lots 13 and 14.

Chair Plumer opened the hearing to the public for comments and questions at 8:06 PM.

Neill Bleicken indicated he had significant opposition to this project, 18 households. It will alter the character and he is pursuing counsel.

Lisa Bleicken expressed it is hard to approve a waiver for transferring density. It looks like they are seeking a buffer strip change for several lots.

Mark Paige echoed concerns about opposition. Mr. Paige opined the decisions may be premature, the financial situation has changed considerably.

Laura Knott stated she submitted a letter earlier and is not a direct abutter but sees impact in addition of this plan. Ms. Knott stated the wetlands are not accurately portrayed. The buffer strip is not adequately shown. The 100' buffer should require across all lots. Does not show conventional subdivision. Lots 13-18 are accessed off Kingston Road but also a part of subdivision. The plan uses a private right of way. The building envelope of 25'x25' was sufficient. Puts footprint of house to 35'x35.' Ms. Knott referenced Rose Farm, Exeter Green. Ms. Knott opined it will affect the character of the neighborhood. Jan Elliott at UEI states that in practicality some of lots are not buildable.

Bob Lietz stated it is total inconsistent with what's in your neighborhood. It won't make Exeter a better place. Should be made compatible with what exists.

Attorney Pasay indicated Mr. Griset is open to meeting with you. Attorney Pasay noted he did not agree with some of these conclusions. Went through a comprehensive process and don't want to think the variance is useless. Attorney Pasay noted several different concepts were looked at that don't require anything from the trust property and believe this is the best for the Town. Want to provide a return on investment. The only lot that doesn't satisfy the 100' buffer is Lot 5. One plan shows 100' as well. Will supplement details of variance. The waiver, as in all subdivision applications, can be approved if it satisfies the criteria. The lot can accommodate more than 25'x25' buildings and the developer has the right to add lots to land. It makes no sense to impose a 100' buffer if it would tighten the subdivision. The project is consistent with neighboring property.

Mark Paige noted a lot of supplement filings have been happening and it still may be premature.

Mr. Sharples indicated he did send the legal opinion, which is not a public document and relayed what applicants need. Attorney Pasay already said he asked for tabling so not rushing any decision prematurely.

(inaudible) noted it did not align with the Master Plan.

Mr. Sharples will ask specifics from UEI.

Laura Knott indicated the building envelope was too much for land it is on.

Attorney Pasay noted if any specific problems would like to hear. Are coming back on June 11th. The Master Plan says should be transitioning from dense to rural. This plan accomplishes just that. Density is in dense areas. Each envelope shows significant space and 25'x25' box is standard.

Mr. Smith added the building could be bigger than proposed.

Vice-Chair Brown asked about Lots 6 and 7 and Ms. Smith indicated there is no requirement that driveway come through frontage.

Vice-Chair Brown noted he has not seen a decline in pricing since the virus, some have gone up so far. Bring an update for June.

Attorney Pasay indicated he will provide a copy of what was provided to the ZBA. Didn't agree it was a density transfer.

Mr. Griset noted the two smallest footprints are 1,300 and 1,800, Lots 2 and 6. Have unique wetlands wanting to preserve and still make compatible. Have R-1 density. Have pre-planted buffers. Are happy to meet with neighbors.

Laura Knott noted the map that was shown was not provided and requested it be provided.

Ms. Martel reminded the Board is just reviewing the Yield Plan and it is distracting to hear these other things mentioned. Ms. Martel asked about the shared driveways and Mr. Sharples explained the new revision that allows for shared driveways provided it only service one extra.

Ms. English asked about the cul-de-sac on Cullen Way and Mr. Sharples noted the cul-de-sac is extended, limit curb-cuts to every so often. Current would be removed, and the rest would go to lots around.

Ms. Tyner noted it looked like a lot of roadwork and wetlands in some lots with emphasis on stormwater management in the Master Plan.

Mr. Cameron motioned to table the hearing until June 11, 2020 at 7 PM. Ms. English seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye, Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.

V. OTHER BUSINESS

Election of Officers

Vice-Chair Brown nominated Pete Cameron as Clerk. Mr. Grueter seconded the motion. A roll call vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye, Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.

218 ***Mr. Grueter nominated Langdon Plumer as Chair. Vice-Chair Brown seconded the motion. A roll call***
219 ***vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
220 ***Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.***

221

222 ***Mr. Grueter nominated Aaron Brown as Vice-Chair. Mr. Cameron seconded the motion. A roll call***
223 ***vote was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
224 ***Cowan – aye. With all in favor, the motion passed unanimously 7-0-0.***

225

226 **VI. TOWN PLANNER'S ITEMS**

227 **Field Modifications**

228 **Announcements**

229 **VII. CHAIRPERSON'S ITEMS**

230 **VIII. PB REPRESENTATIVE'S REPORT ON "OTHER COMMITTEE ACTIVITY"**

231 **IX. ADJOURN**

232 ***Vice-Chair Brown moved to adjourn at 9:24 PM. Mr. Grueter seconded the motion. A roll call vote***
233 ***was taken, Cameron – aye, Plumer – aye, Grueter – aye, English – aye, Brown – aye, Martel – aye,***
234 ***Cowan – aye. With all in favor, the motion passed unanimously.***

235 **Respectfully submitted,**

236 **Daniel Hoijer,**

237 **Recording Secretary**



TOWN OF EXETER

Planning and Building Department

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Date: May 21, 2020

To: Planning Board

From: Dave Sharples, Town Planner

Re: PB Case #19-15 and Case #19-16 Gateway At Exeter LLC

The Applicant has submitted a lot line adjustment/subdivision application for a proposal to consolidate and re-subdivide Tax Map Parcels #47-6 and #47-7 situated on Epping Road into three lots. The Applicant has also submitted a Wetlands Conditional Use Permit (CUP) and site plan review application for a proposal to construct a mixed use development on the two newly created parcels with frontage on Epping Road. The proposed development will include three (3) multi-family residential buildings consisting of 224 units, a 40,000 square foot mixed use building and associated site improvements. The subject properties are located at 170 Epping Road and are situated in the C-3, Epping Road Highway Commercial zoning district.

The Applicant appeared before the Zoning Board of Adjustment on May 21, 2019 and was granted relief to permit the proposed construction of a multi-family residential complex as part of a mixed use development plan being considered for the subject property. A copy of the decision letter and minutes from that meeting are enclosed for your review.

The Applicant appeared before the Planning Board on October 10, 2019 for Design Review. I have enclosed the minutes from that meeting. One item raised by the Board was in regards to maintaining a wildlife corridor through the parcel. This matter was discussed internally and at the Conservation Commission. It is my understanding that the main wildlife corridor is in the rear portion of the site which will be protected. Kristen Murphy, the Natural Resource Planner, will be attending the meeting should the Board have any questions on this issue.

The Applicant has appeared before the Conservation Commission on two separate occasions – on November 12th, 2019 to present their Wetlands CUP application and request for a wetlands waiver; and again on May 12th, 2020 to discuss the possibility of including recreational uses on the proposed conservation land currently being presented

for wetland impact mitigation. The memos from the Chair(s) of the Conservation Commission outlining their recommendations are also enclosed for your review.

The Applicant appeared before the Technical Review Committee on December 6, 2019; the TRC and UEI comment letters and the Applicant's response letter are enclosed for your review. Staff continued to review the revised plan set and responses to the TRC and UEI comment letters and a second TRC meeting was scheduled for February 20, 2020 which was subsequently cancelled. A second TRC comment letter, dated March 19, 2020 and UEI comment letter, dated March 13, 2020 were provided to the Applicant in lieu of the cancelled TRC meeting. The Applicant submitted revised plans and supporting documents on May 13, 2020 and are enclosed for your review. Staff is working through the latest responses with the applicant and will provide the Board with an update at the meeting.

The Applicant is requesting several waivers, five of which are outlined in a letter from Hayner/Swanson, Inc. initially dated November 19, 2019 with a latest revision date of May 13, 2020. The Applicant also supplied a letter dated May 11, 2020 outlining a request for two additional waivers regarding recreation space and recreational impact fees. All waiver motions are included below for your convenience.

This is a large project and there is a lot for the Board to review. This application includes a subdivision, Conditional Use Permit and a Site Plan application along with seven waiver requests. Another component of this project is the traffic impact analysis that is worth a brief discussion here. Stephen Pernaw, the Applicant's traffic engineer, provided an initial traffic impact analysis when this project was submitted. However, the scope of that study was insufficient according to Town staff and our third party review consultant. In lieu of expanding the scope of the initial study, the Economic Development Director Darren Winham worked with the Tax Incremental Financing (TIF) committee and secured funding through a warrant article to develop a corridor study of Epping Rd that includes an analysis of the impact of this project and what potential solutions should be implemented to accommodate the future traffic flow. Town staff is still working with VHB on this study and I'll update the Board at the meeting. It is worth noting that in addition to local approval, the project triggers approval from the NHDOT due to the anticipated impact to the Route 101 interchange. We have requested that the Applicant request a scoping meeting with the NHDOT as we would like VHB to attend this meeting on behalf of the Town. I will update the Board about the status of this at the meeting.

While acknowledging the Applicant's letter dated March 18, 2020 stating the "urgency of an approval", I generally want to hear from the Board and any public before formulating any conditions of approval beyond any standard conditions of approval due to the scope and size of this project. There are also a few outstanding staff comments that still need

more internal discussion. However, if the Board does get to a point where it wishes to act on the application at this meeting, I will be prepared with suggested conditions of approval. At a minimum, I would encourage the Board to provide direction on the waivers at some point during the meeting so, in the event the application is tabled, then the Applicant will have time to revise and resubmit plans (if applicable) before returning to the Board.

Waiver Motions:

High Intensity Soils Survey (HISS) waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-15 and #19-16, for a waiver from Section 7.5.4 of the Site Plan Review and Subdivision Regulations to provide High Intensity Soil Survey information on the **Proposed Site Plan** be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Landscape Islands within /Parking Lots waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-15 and #19-16, for a waiver from Section 9.7.5.5 of the Site Plan Review and Subdivision Regulations regarding landscape islands be provided in parking lots between every 10 to 15 spaces to avoid long rows of parked cars be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Wetland Setbacks – 75 foot structural/parking setback from Poorly Drained Soils waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-15 and #19-16, for a waiver from Section 9.9.2 of the Site Plan Review and Subdivision Regulations regarding the installation of reinforced turf be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Off-Street Loading waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-15 and #19-16, for a waiver from Section 9.12.1. of the Site Plan Review & Subdivision Regulations to provide loading dock spaces be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Parking space (number required) waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-15 and #19-16, for a waiver from Section 9.13.1. to permit less off-street parking than required in accordance with Section 5.6.6 of the Zoning Ordinance be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Recreational Space waiver motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-16, for a waiver from Section 11.3.4. of the Site Plan Review and Subdivision Regulations regarding the requirement to provide area for joint recreational space be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Impact Fee Motion: After reviewing the criteria for granting waivers, I move that the request of Gateway At Exeter, PB Case #19-16, for a waiver from Section 11.7.2 of the Zoning Ordinance regarding payment of impact fees (as they relate to recreation) be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Planning Board Motions:

Lot Line Adjustment and Subdivision Motion: I move that the request of Gateway At Exeter, PB Case #19-15, for Lot Line Adjustment and Subdivision approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Conditional Use Permit (Wetlands) Motion: After reviewing the criteria for a Wetlands Conditional Use permit, I move that the request of for Gateway At Exeter, PB Case #19-16, for a Conditional Use Permit be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Site Plan Motion: I move that the request of Gateway At Exeter, PB Case #19-16 for Site Plan approval be APPROVED / APPROVED WITH THE FOLLOWING CONDITIONS / TABLED / DENIED.

Thank You.

Enclosures



TOWN OF EXETER, NEW HAMPSHIRE

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www.exeternh.gov

May 22, 2019

Thomas J. Leonard, Esquire
Welts, White & Fontaine, P.C.
29 Factory Street
POB 507
Nashua, New Hampshire 03061

Re: Zoning Board of Adjustment Case #19-07
Variance Request – Gateway at Exeter, LLC
Epping Road, Exeter, N.H. (former Kevin King Irrevocable Trust property)
Tax Map Parcel #47-6 and #47-7

Dear Attorney Leonard:

This letter will serve as official confirmation that the Zoning Board of Adjustment, at its May 21st, 2019 meeting, voted to grant the above-captioned application for a variance from Article 4, Section 4.2 Schedule I: Permitted Uses and Section 4.3 Schedule II: Density and Dimensional Regulations (Residential) to permit a multi-family residential complex as part of a mixed use development plan within the area shown as the site on the display plan submitted with the application, and as presented.

The variance approval was granted subject to the following conditions:

- the remaining approximately 45± acres to the rear of the site remaining undeveloped;
- that 25% of the residential rental units qualify as workforce housing rental units as defined under the NH State workforce housing statute;
- that the restriction for workforce housing rental shall be for not less than 30 years;
- that the residential portion shall remain as rental units for not less than 30 years; and
- the multi-family portion of the complex shall include not more than 224 residential rental units.

Please contact the Planning and Building Department for the appropriate paperwork to move forward with your project. If you should have any questions, please do not hesitate to contact their office.

Sincerely,

Laura J. Davies
Chairwoman
Exeter Zoning Board of Adjustment

cc: Thomas Monahan, Gateway at Exeter, LLC, property owner
Dave Sharples, Town Planner
Douglas Eastman, Building Inspector/Code Enforcement Officer
Janet Whitten, Deputy Assessor

LJD:bsm

Town of Exeter
Zoning Board of Adjustment
May 21, 2019, 7 PM
Town Offices Nowak Room
Final Minutes

I. Preliminaries

Members Present: Chair Laura Davies, Vice-Chair Joanne Petito, Robert Prior, Kevin Baum, Rick Thielbar, Christopher Merrill - Alternate, Esther Olson-Murphy - Alternate

Members Absent: Martha Pennell - Alternate, Hank Ouimet - Alternate

Others Present: Doug Eastman, Barb McEvoy

Call to Order: Chair Davies called the meeting to order at 7:04 PM.

II. New Business

- A. Request for Rehearing on the application of VWI Towers LLC, case #19-04 Kingston Road, Tax Map Parcel #100-004

Chair Davies decided to address this matter first. She said there was a glitch in the abutter notification process, and since that's a necessary component of the approval process, there had been favorable input to consider this request for rehearing.

MOTION: Ms. Petito moved to approve the request for rehearing the application for VWI Towers LLC, case #19-04 because it has come to their attention that some abutters were not notified. Mr. Prior seconded. Chair Davies said that the five full time members of the Board will vote. All were in favor. The motion passed 5-0-0, and there will be a rehearing.

- B. The application of Gateway at Exeter, LLC for a variance from Article 4, Section 4.2 Schedule I: Permitted Uses and Section 4.3 Schedule II: Density and Dimensional Regulations (residential) to permit a multi-family residential complex as part of a mixed use development plan for property located on Epping Road (former King property). The subject property is located in the C-3, Epping Road Highway Commercial zoning district. Tax Map Parcel #47-6 and #47-7. Case #19-07.

Thomas Leonard, a lawyer representing Tom Monahan, the principal at Gateway at Exeter LLC, spoke regarding the variance request. He said that this is a request for a mixed-use development at the former King property; the variance is specifically to allow a 224 unit multi-family residence. The balance of the project is a permitted use.

Mr. Leonard gave some facts about the property. It's 62 acres total; to the north is exit 9 of Route 101, to the east is Epping Road, to the south is Continental Drive, and to the west is town-owned property referred to as the Bloody Brook/Little River area. This property is in the C-

3 Zone. Epping Road's infrastructure is being improved; the area is a Tax Incremental Financing [TIF] area identified for improvements, and this is one of the sites to be improved.

The proposal only involves the 15 acre front portion of the lot, the eastmost portion, closest to Epping Road. There are substantial wetlands throughout the property, but the least valuable wetlands are in the easterly portion. The tract is wooded, and it was timbered in 2014. There's one single-family home in the southeast corner, lot 47-6, which will probably be coming down; otherwise the property is vacant. Mr. Leonard presented the Board with a December 2016 study from Gove Environmental which concluded that easterly portion of the site lacks significant wetland features; the areas of the property to the west are of far greater value.

Mr. Baum asked if the project had gotten through design review, and Mr. Leonard said no. Mr. Monahan added that they had submitted a conceptual plan to the Planning Board and done some engineering. They held a conceptual hearing and listening session in which they showed a large assisted living facility, and folks appeared not to be in favor. Town Meeting this year actually took the assisted living use out of this zone; their project would be grandfathered, but they backed off from that development plan last October. Mr. Baum summarized that they have gone through design review with the Planning Board, but this new proposal doesn't represent that work.

Mr. Leonard said that 15 acres would have the project and any improvements associated with the project, and the back 45 acres will be open and preserved, not developed, in perpetuity. They would be willing to sign a covenant with the town to that effect. Mr. Prior asked if they did the density calculations using the 62 acre figure. Mr. Leonard responded that residential is not permitted, so he didn't know whether R-4 or R-5 would be the correct guideline. R-5 allows for one unit for every 3,600 or 3,700 feet, and R-4 every 7,000 feet. If the project is in the R-5 zone, which he thinks is reasonable, about 20 acres would be appropriate under R-5. They have 15, but there are three or four acres of wetland on the 15 acre site, so they can't count that acreage. They could make the argument that they can include the 62 acres in the calculation, since they plan on preserving it, and that would be well within density. This would be 224 units; they are interested on doing it on 15 acres, but if the Board thought 20 acres was more appropriate, they could add the other five.

Mr. Leonard presented a schematic of the design. There are four buildings proposed: one building would be commercial, with two stories, for a total of 48,000 feet square feet, and the other three buildings would be residential. They will comply with the height requirements of the C-3 Zone, so the project is not asking for a height variance. Making the buildings taller creates a smaller footprint, which will reduce the impact to wetland areas. They're proposing 224 residential units, 50% of them one bedroom and 50% two bedroom, and with 25% of each unit type being workforce housing rental units.

Ownership workforce housing is defined by the state and town as the mortgage plus utilities equaling 30% of the median income for a family of four. The proposed project is for workforce rentals, which have a lower threshold: rent and utilities are 30% of 60% of the median income for a family of three. Chair Davies asked if they could guarantee that it will be rentals, not condos. Mr. Leonard said they will make that commitment. They recently did a workforce rental project in Londonderry, and there's a covenant that says that project will be rental for 30 or 40 years. They would work with Town Planning staff as to how that would be administered in Exeter. Mr. Baum asked if they would be following the Exeter Subdivision Regulations; there's a

process in place, with bonuses in certain areas. Mr. Leonard said yes, they will follow the regulations, but they are not seeking bonuses.

Mr. Thielbar asked if the 56 workforce apartments would be in a separate building or mixed in. Mr. Leonard said mixed in, that's one of the requirements. There would be approximately 25% workforce rentals in each building. Each building has a footprint of 17,500 square feet. How many floors depends on the parking needed; they want to minimize impervious surface but have to provide 1.75 spaces per unit. All the roads will be private roads.

Mr. Leonard presented a rendering, pointing out that they would like to have some kind of courtyard. Mr. Prior said that renderings are not pertinent to their review; they're only approving their commitment to 224 units and that the development would be limited to 15 out of 62 acres, with the rest left as open space permanently, as well as the guarantee that there would be rental units for 30 - 40 years and the commitment to workforce housing. Mr. Leonard said the renderings are relevant because they're making a commitment to buildings with several stories to minimize impact. If they put in a 100,000 square foot warehouse, there would be a much greater impact. Mr. Merrill said they will need a public road to get to the offices. Mr. Leonard said they can do it without public roads, but it would be a Planning Board matter.

Mr. Leonard said that zoning has several purposes: it attempts to accomplish the Master Plan, to allocate infrastructure and resources, to prevent incompatible uses, to ensure the protection of wetlands, and to encourage a diverse supply of housing. The standards for granting a variance, according to the statutory reference, require an unnecessary hardship, which is based in the relationship between the C-3 Zone and the purposes of the Town of Exeter. This is an unusual piece of property with substantial wetland. The Town wants to develop the site in a reasonable manner, but the zoning districts don't address the concerns of the property. They don't accomplish the goals that this property wants to accomplish: wetland preservation, especially that of higher value, and the availability of housing. A strict application of the rules at this site would be an unnecessary hardship. This use is consistent, and is not at variance with anything proposed in the area. No incompatible use could be in the CT-1 zone, with a 45 acre buffer. Permitted uses don't address many questions intended to be addressed by zoning. The location of this property is unique: it's at an intersection of Route 101, and has infrastructure as good as the rest of the Town. These features make it particularly useful for multi-family residential, since they can't do it without that infrastructure. NH has supported the idea that the specific location of the property is a special condition that is permitted to support a variance. The size of the property is also unique. The Town doesn't have large tracts to support a project like this. The Housing Advisory Committee has identified smaller units as important, and this will have workforce housing of one and two bedroom units. Mr. Leonard concluded by saying that under present statutory conditions, the real question is "Is the use reasonable?" This is a reasonable use.

Mr. Leonard then presented letters in support of the project from representatives of Osram Sylvania, Sig Sauer, Exeter Health Resources, Cobham, and from Russell Dean, the Exeter Town Manager. The letters spoke about the difficulties of hiring and having young people move into the area. Small rentals are an important first step to the life cycle of housing.

Mr. Leonard then spoke regarding the other criteria. Granting the variance will not be contrary to the public interest; in fact, there is strong public interest in establishing and maintaining a community with a broad and diverse housing stock. The criteria that the use of

132 infrastructure for important projects and important purposes is in the public interest is
133 accomplished here. The proposed use will observe the spirit of the ordinance, and the variance
134 won't alter the essential character of the neighborhood. This does not interfere with the
135 neighborhood; there's residential going in across the way. This is an arterial road and not
136 interfering with the zoning scheme. There are no incompatible uses to worry about. Substantial
137 justice will be done; this is a win-win, since it affords the owner of this property a reasonable
138 opportunity of development. There will be no adverse impact to any surrounding property
139 owners. There is no benefit to the town to prevent this use. There's a suggestion that the project
140 would take a site away from a manufacturing plant, but there are more sites for that purpose
141 than for rental housing. This will not have any adverse impact on surrounding property values.
142 This is an area identified by the town as one to develop and to take advantage of new
143 infrastructure.

144 Chair Davies said she was concerned about the abutters list, which was not in the
145 package. Mr. Leonard said he does have one, and Barb McEvoy said she also does have it. Mr.
146 Prior said that the abutter's list is usually part of the application. Chair Davies added that it's
147 helpful when there are comments from the public. Ms. McEvoy asked Mr. Leonard if someone
148 had verified the list, and Mr. Leonard said he thinks so. Chair Davies said she was ok with it if
149 Ms. McEvoy had verification that all the letters were sent out. Ms. McEvoy said 10 out of 11
150 certifications have been returned. Mr. Eastman said the verification is done by the assessing
151 department.

152 Chair Davies closed the session to the public, and said the five regular members will be
153 voting.

154 Chair Davies said that rental housing is in short supply, which is a big concern. She's
155 pleased at this project's commitment to a minimum of 30 years as rental housing.

156 Mr. Prior said he had been concerned about hardship, but he finds the argument made
157 by the applicant very compelling. If they want to accomplish multifamily use and workforce
158 housing, it needs to be on a property like this. Because of the access to the highway and artery
159 to downtown, water and sewer, this is the perfect location for this type of a use. He would love
160 to see more jobs in town and more commercial uses, but this location is optimized for this type
161 of use more than commercial.

162 Chair Davies said that the wetlands have been an impediment in the past, and large
163 commercial and industrial uses take up a larger footprint. Sometimes there are concerns about
164 a conflict between industrial and residential, but the way this is laid out addresses that. Mr.
165 Baum agreed, saying mixed use development is important. There are other types of permitted
166 uses under C-3 such as a business office, professional office, or hotel. The reason for this zone
167 is that it makes sense to have those along a heavily travelled corridor. This project is still
168 consistent with the purpose of the C-3. Any conflicts between industrial use on Continental and
169 residential use here are mitigated by the fact that they're willing to put so much of this land into
170 undeveloped use.

171 Mr. Prior asked if there is a legal precedent for the 60% number in the calculation about
172 workforce housing. Mr. Leonard was allowed to speak in response to a direct question from the
173 Board, and said that RSA 674 58-61 is the NH workforce housing statute which defines
174 "affordable," with regards to rental property, as rent plus utilities being 30% of 60% of a three

person family's median income. In Exeter, it is approximately \$1,270 a month for both rent and utilities. Mr. Prior suggested just saying they abide by the statutory standard.

Mr. Thielbar pointed out that there are two different sized apartments for the workforce housing, so they must not charge the same price for them. Mr. Monahan said that they do charge different workforce housing rents for one or two bedrooms; it depends on the number of people in the apartment as well.

MOTION: Mr. Baum moved to approve a variance to permit a multifamily residential project as part of a mixed use development plan within the area shown as the site on the display plan submitted with the application. The variance is conditioned on the remaining approximately 45 acres to the rear of the site remaining undeveloped, and that 25% of the residential rental units qualify as workforce housing rental units as defined under the NH State workforce housing statute, and that the restriction for workforce housing rental shall be for not less than 30 years, and that the residential portion shall remain rental for not less than 30 years, and shall include not more than 224 residential rental units. Mr. Prior seconded the motion.

Doug Eastman asked about the density calculations, and Mr. Prior said that they weren't tying it to any R-4 calculations. Mr. Eastman suggested they could have used the 62 acres to calculate the density. Chair Davies said she doesn't know how the wetlands play into the zoning, but thinks that they're safe. Under the R-5, the project would require 18.67 acres, but they're not tied to the R-5, and the project has 67 acres to work with. Mr. Prior said he's comfortable with 224 units. Mr. Eastman asked if they needed to consider the variance criteria amongst themselves, and Mr. Prior said they decided it was unnecessary.

All were in favor and the motion passed 5-0-0.

III. Other Business

A. Election of Officers

MOTION: Mr. Prior nominated Joanne Petito as Chair of the Zoning Board of Adjustment. Mr. Baum seconded. All were in favor.

MOTION: Mr. Baum nominated Mr. Prior as Vice-Chair of the Zoning Board of Adjustment. Ms. Petito seconded. All were in favor.

MOTION: Ms. Petito nominated Mr. Thielbar to be the Clerk of the Zoning Board of Adjustment. Mr. Prior seconded. All were in favor.

B. Approval of Minutes: April 16, 2019

MOTION: Ms. Petito moved to approve the minutes of the April 16th meeting as submitted. Mr. Prior seconded. Mr. Baum and Mr. Thielbar abstained, as they were not present at the meeting, and the motion passed 3-0-2.

IV. Adjournment

217

218

219

MOTION: Mr. Prior moved to adjourn. Mr. Baum seconded. All were in favor and the meeting was adjourned at 8:55 PM.

220

221

Respectfully Submitted,

222

Joanna Bartell

223

Recording Secretary

**TOWN OF EXETER
PLANNING BOARD
OCTOBER 10, 2019
APPROVED MINUTES**

I. PRELIMINARIES:

BOARD MEMBERS PRESENT: Chair Langdon Plumer, Vice-Chair Aaron Brown, Pete Cameron, Clerk, Niko Papakonstantis, Select Board Representative, Pete Steckler, Alternate, Jennifer Martel, Alternate and Robin Tyner, Alternate

STAFF PRESENT: Town Planner Dave Sharples

II. CALL TO ORDER: Chair Plumer called the meeting to order at 7 PM.

Chair Plumer indicated that Alternates, Pete Steckler, Jennifer Martel and Robin Tyner would be active tonight.

III. OLD BUSINESS

APPROVAL OF MINUTES – September 26, 2019

Edits were proposed, discussed and agreed upon.

Mr. Cameron motioned to approve the minutes of September 26, 2019 as amended. Mr. Papakonstantis seconded the motion, with six voting in favor and one abstention, the motion passed.

IV. NEW BUSINESS

PUBLIC HEARINGS

1. A request by Gateway at Exeter, LLC for a design review of a proposal to consolidate and Re-subdivide Tax Map Parcels #47-6 and #47-7
Situated on Epping Road, into three lots; and
A proposal to construct a mixed-use development on the two newly created parcels with frontage on Epping Road.
The proposed development will include three (3) multi-family residential buildings consisting of 224 units, a 40,000 square foot mixed use building and associated site improvements.
C-3 Epping Road Highway Commercial zoning district
Case #19-12

Chair Plumer read the public hearing notice out loud.

42 Jim Petropulos, PE of Hayner/Swanson, Inc. presented the design review proposal on behalf of Gateway
43 at Exeter, LLC. Mr. Petropulos indicated Tom Monahan and Matt Wirth of Pro Con are present with him.
44 This is for a non-binding discussion concerning the 60-acre site formerly known as the King Property.
45 There are two lots on the property. One is very small (less than 1/3 acre). Immediate abutters are
46 highway, conservation land, and commercial businesses. There is 600 feet of frontage. The entire
47 boundary has been surveyed. Believe it was in 2014. The wetlands have been flagged and mapped.
48 There are several wetland areas and vernal pools. Have seen several development proposals before.
49 This team presented a similar plan before. There were questions on workforce housing and variance for
50 multifamily.

51
52 The backland will remain undeveloped. 25% of units will be workforce housing rents and remain this
53 way for 30 years. There will be no more than 224 units. Construction would be mixed-use property. It
54 will be a subdivision to end up with three properties.

55
56 The 44-acre parcel in back will have a two-story building on the left by the entrance. There will be 100-
57 110 parking spots. The code allows shared parking. There will be three multi-family buildings.

58
59 The number of wetlands in frontage is a sizable impact in the area. Mr. Petropulos indicated it would be
60 up to us to prove need and come up with a mitigation effort. The proposal will go to Conservation
61 Commission next. The prospective drawing incorporates tradition look and has a lot of work to do. The
62 subdivision plan will be included, the site plan and traffic study.

63
64 Mr. Petropulos noted there are waivers that may be asked for. Will be doing an inventory of trees, HISS
65 waiver, and landscape islands. May seek relief. Anticipate challenges and will work through and provide
66 information and a traffic study.

67
68 Mr. Sharples indicated the property was before us for design review before, but it was different. If the
69 design review process ends there is a proposed motion provided.

70
71 Ms. Tyner asked where the 2.9 acres of wetlands are situated? Mr. Petropulos noted it was difficult to
72 see. There are a number of pockets throughout the 60 acres with an inconsistent pattern. 20% of the
73 site is poorly drained soils.

74
75 Ms. Tyner asked if the undeveloped backland condition of the backlot will be permanent? What if
76 ownership changes? Mr. Petropulos indicated it would be tied to the multifamily use variance. Mr.
77 Sharples noted the Planning Board may follow-up on condition and ensure it is recorded.

78
79 Chair Plumer asked if there were two cuts onto Route 27? Mr. Petropulos explained yes, the proposal
80 anticipates drop off will be through the main entrance and exit through the other second access to
81 property. Mr. Cameron noted the traffic study must include traffic across the street as well.

82
83 Mr. Sharples noted from Continental Drive to the interchange, urban compact zone is North of that in
84 DOE jurisdiction. Want to be part of conversation when development comes.

86 Ms. Tyner observed there are a lot more cars in this project than last.

87 Chair Plumer asked if the developer had any idea what will be available for apartments there? Mr.

88 Petropulos indicated it could not be a condominium. 158 one-bedroom studios, 68 two-bedrooms. A
89 market study was done. Would provide parking and access to back land.

91 Ms. Martel found the shared parking concept was interesting but noted this seems residential and does
92 not see shared parking working here. Mr. Petropulos noted he initially thought the same thing. Are
93 more one-bedrooms with more than 300 spaces a 1.55 ratio. There are another 110 commercial spots.

95 Mr. Steckler noted the 2.9-acre wetland fill is a very large impact. Interested in conversations with
96 wetlands bureau and EPA, etc. Mr. Petropulos said it was a point well taken. Mr. Steckler expressed
97 concerns with the wildlife connections with almost nothing to the South here. A significant issue. Ms.
98 Martel agreed they would want to see environmental impact assessments. Mr. Steckler added the
99 vernal pools assessment. Mr. Petropulos noted the vernal pool assessment has been done each spring
100 for several years by Gove Environmental Services.

102 Ms. Tyner asked about building four stories. Mr. Petropulos indicated there is a height limitation of 50
103 feet tied to Zoning regulations.

105 Chair Plumer noted there is a nice green space between the highway and buildings and asked if the
106 developer intends to keep it that way? Mr. Petropulos noted he believed this was it with wanting to
107 respect the open water area.

109 Chair Plumer opened the design review hearing to the public for comments and questions at 7:41 PM.

111 Tom Monahan stated he also owns balance of Garrison Glenn and Gourmet Gift Basket building. With
112 two lots remaining approximately 50 acres, providing access to conservation land. Want to retain
113 backland. Have no intention of developing back land. This proposal was submitted to the Zoning Board
114 of Adjustment.

116 Mr. Cameron observed a foot bridge to the backland is proposed. Mr. Petropulos indicated to support
117 parking the backland connects to 212 acres of Town-owned property surrounding Garrison Glenn.

119 Chair Plumer asked about trail systems. Mr. Petropulos noted there weren't any yet, not super steep.

121 Ms. Martel asked about mitigation and negotiations between applicant and state? Does the Town have
122 any say? Is there any opportunity for us to suggest mitigation?

124 Mr. Sharples explained it comes to the Planning Board through the Conservation Commission and can
125 connect to state. The Conservation Commission can suggest mitigation, but it will likely be involved and
126 the state rules at the end of the day wanting to keep funds where impact occurs.

Mr. Steckler explained that any ARM funds stay in the watershed. The mitigation program encourages the Town to make a prioritized project list through the Conservation Commission. Mr. Steckler noted the EPA will be resistant to using undevelopable land as mitigation.

Mr. Cameron asked if the applicant had the ZBA decision? Mr. Sharples noted it would be included with the formal application.

Chair Plumer noted he appreciated the concern for workforce housing. Exeter is one of the most diverse towns in the state.

Chair Plumer closed the hearing to the public at 7:45 PM.

Ms. Martel motioned that the design review process for Gateway At Exeter, LLC (PB Case #19-12) has concluded and to instruct the Town Planner to notify the Applicant in writing in accordance with NHRSA 676:4 II(b); seconded by Mr. Papakonstantis, with all in favor, so moved.

2. Proposed Amendment to Section 7.4.7 (Significant Trees) of the Board's Site Plan Review and Subdivision Regulations (copies will be available in the Planning Office prior to the hearing).

Mr. Sharples reviewed the proposed amendment which was discussed by the Master Plan Oversight Committee before being discussed with the Planning Board. The amendment was prepared by the subcommittee formed by the Planning Board on June 27, 2019, who prepared it. It is common to measure these trees at breast height. Have limited the required inventory to the area of disturbance. Waivers were routinely granted which caused the Board to question if the provision should remain in the regulations.

A motion was provided if the Board considers adopting the amendment.

Chair Plumer opened the hearing to the public for comments and questions at 7:59 PM and being none closed the hearing to the public for deliberations.

Mr. Papakonstantis motioned to AMEND Section 7.4.7 of the Site Plan and Subdivision regulations by DELETING "(16 inches in diameter (caliper) or greater measured 12 inches above the ground)" and REPLACING with "(20-inches or greater in diameter at breast height)" and ADDING the following at the end of the Section: "The identification of significant trees as defined above shall be limited to the areas proposed for disturbance." "Significant trees proposed for removal shall be labeled as such on the Existing Conditions Plan and significant trees to remain shall be identified on the Site or Subdivision Plan." Vice-Chair Brown seconded the motion, with all in favor, the motion passed unanimously.

V. OTHER BUSINESS

1. Excel Construction (Freedman Realty Trust)

PB Case #18-07

Tax Map Parcel #64-50

Request for extension of conditional approval (expires 10/25/19)



TOWN OF EXETER, NEW HAMPSHIRE

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www.exeternh.gov

October 16, 2019

Thomas Monahan
Gateway At Exeter, LLC
20 Trafalgar Square
Nashua, New Hampshire 03060

Re: PB Case #1912 Gateway at Exeter LLC
Design Review of Mixed Use development
170 Epping Road and "King" property, Exeter, N.H. Tax Map Parcels #47-6 & #47-7

Dear Mr. Monahan:

Please be advised that at the meeting of October 10th, 2019, the Exeter Planning Board voted that the Design Review process of the above-captioned application had concluded.

The next step in the Planning Board review process would be a formal application submission in accordance with Section 6.2 of the Board's Site Plan Review and Subdivision Regulations. I have enclosed a copy of the Board's "2019 Schedule of Deadlines and Public Hearings" for your review.

Please feel free to contact the Planning Department at 773-6114 with any questions.

Sincerely,

Langdon J. Plumer
Chairman
Exeter Planning Board

Enclosure – 1

cc: James Petropulos, P.E., Hayner/Swanson, Inc.
Douglas Eastman, Building Inspector/Code Enforcement Officer
Janet Whitten, Deputy Assessor

LJP:bsm

f:\docs\plan'g & build'g dept\pb cases\2019 cases\pb #19-12 design review letter.docx

**TOWN OF EXETER
CONSERVATION COMMISSION MEMORANDUM**

Date: November 19, 2019
To: Planning Board
From: Kristen Murphy for the Conservation Commission
Subject: Gateway at Exeter LLC, Epping Road Wetland Waiver

Project Info:

Project Location: Epping Road, Exeter, NH
Map/Lot: Map 47, Lots 6 & 7
NHDES File No: Unknown
CC Review Date: Site Walk 10/30/19, Meeting 11/12/19
PB CASE: 19-16

Wetland Waiver

The Exeter Conservation Commission reviewed the proposed project and associated application materials at a site walk and their monthly meeting as noted above. During the November 12th meeting, the commission voted unanimously that they have reviewed the application and have **no objection to the issuance of the wetland waiver as proposed**. They did identify several items they request the Planning Board consider:

Given their review was prior to TRC review of the application, **should designs change such that it causes an increase to wetland buffer impacts, they request the applicant return** so the Commission has an opportunity to review the increased impacts. They were **supportive of excluding the trail parking area if removal would allow a reduction in impacts** to either the wetland or wetland buffer.

They were **supportive in concept of the Town holding conservation interest in the proposed mitigation land with details and deed terms to be developed prior to the Commission officially recommending acceptance**. They further request the following items be completed prior to acceptance: Phase 1 environmental assessment, receipt of a surveyed plan of the conservation land and boundary markers, completion of a baseline documentation report, on-site confirmation that any boundary markers indicated were in place, and payment of a stewardship fee of an amount to be determined in later discussions. They were unsure whether providing public access via trail parking at this location would increase impacts to the sensitive area proposed for conservation and reserve a decision on trails/access to be addressed when deed terms were decided with the applicant at a later date.

Their willingness to hold land interest the rear portion includes consideration of the role this land would provide in providing the long term protection of an important wildlife corridor, protection of the Little River watershed as well as the mapped vernal pools located within this area. They do note that the use of the underpasses beneath Route 27 and Route 101, is fencing currently limited due to existing fencing blocking access for many larger species. The Commission had inquired with the state previously about the ability to modify the fencing to facilitate access through the underpasses but no change has been implemented. Their memo to NHDES highlighted this concern and requested the State's support should they have any ability to provide assistance with

this regard as a slight modification to fencing would further increase the role this property would serve for wildlife corridor preservation.

The Commission noted the wetland application was missing a response from NH Fish and Game and NH Heritage on the state sensitive species highlighted in the Heritage report. **They request the applicant furnish NH Fish and Game and NH Heritage Bureau's recommendation, and the agency's recommendations be incorporated into project design to reduce or eliminate potential impacts.**

The commission also requested to minimize lighting overspill into the conservation area, encouraged landscaping to incorporate native, non-invasive species where possible, and requested the applicant explore pervious pavement where possible to minimize the impact of the large impervious areas proposed.



Todd Piskovitz
Chair, Exeter Conservation Commission

cc: Jim Petropulos, HSI
Brendan Quigley, GES Inc.

**TOWN OF EXETER
CONSERVATION COMMISSION MEMORANDUM**

Date: May 14, 2020
To: Planning Board
From: Kristen Murphy for the Conservation Commission
Subject: Gateway at Exeter LLC, Epping Road Recreation Use of Proposed Conservation Land

Project Info:

Project Location: Epping Road, Exeter, NH
Map/Lot: Map 47, Lots 6 & 7
NHDES File No: Unknown
CC Review Date: Site Walk 10/30/19, CC Meeting 11/12/19, CC Meeting 5/13/20
PB CASE: 19-16

Recreation Use

During the May 12th Conservation Commission meeting the board discussed the possibility of including recreational uses on the proposed conservation land currently presented for wetland impact mitigation. The Commission's discussion considered the sensitivity of the wetland and vernal pool complex and the impact that recreation may impose. They also discussed value of having public access to conservation land and the direct benefit it is clearly providing the public during these unprecedented times. After weighing these factors, they **voted unanimously to support a limited level of passive recreation within the conservation area, the extent and detail of that use to be determined after further site inspection.** The previous site walk was focused on the development impacts and did not extend into the conservation area sufficiently to determine appropriate levels of use.



Andrew Koff
Chair, Exeter Conservation Commission

cc: Jim Petropulos, HSI
Brendan Quigley, GES Inc.

TOWN OF EXETER

Planning and Building Department

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

Date: December 13, 2019 *(revised 12/18/19)*

To: Jim Petropulos, P.E., Hayner/Swanson, Inc.
Tom Monahan, Manager, Gateway At Exeter

From: Dave Sharples, Town Planner

Re: Site Plan Review TRC Comments
PB Case #19-15 and #19-16 Gateway At Exeter, LLC
Tax Map Parcel #47-6 and #47-7

The following comments are provided as a follow-up to the TRC Meeting held on December 6th, 2019 for the above-captioned project:

TOWN PLANNER COMMENTS

1. Are there any known environmental hazards on the site? If so, provide detail.
2. Will any smoke, odors, or excessive noise be generated by the proposal? If so, please describe.
3. Although not requested by the TRC, thank you for the submission of a fiscal impact analysis.
4. Show monuments in accordance with Section 9.25. Have the iron rods shown on the subdivision plan around Lot 47-6 been set? If not, please note "to be set on" plans.
5. If applicable, list state permits required and the status of each.
6. Recommend meeting the new requirements of Section 7.4.7 and identify significant trees in the area of disturbance and this will negate the need for a waiver.
7. Suggest providing pedestrian connection to the patio from the northerly sidewalk on Lot 6. The committee recommends that further discussion regarding pedestrian movement and access to and from the site occur at the planning g board.
8. Show the limits of clearing/disturbance on the plan and the proposed tree line and total square footage of disturbance.
9. Provide driveway/utility/drainage easements language.
10. Committee recommends that the traffic impact analysis is peer reviewed to determine if the proposed scope is adequate and to review and comment on the analysis. Please insure that the analysis includes the requirements of such analyses as set forth in Section 7.14.4.
11. Lighting plan should show 0.0 at all property lines. There should be no spillover lighting onto adjacent properties.
12. Provide information required per Section 9.20.3 thru 9.20.5 are met. Suggest installing a timer on the lights to be shut off/dimmed by 10pm if not in use per Section 9.20.4.4.

13. Provide architectural elevations for all sides of the proposed commercial building on Lot 6 to determine if architectural standards are being met.
14. Show granite curbing or integrated concrete instead of cape cod berm wherever curbing is proposed.
15. Was the landscape plan created by a Licensed Landscape Architect? Are the plantings low maintenance and chosen for all site conditions? Will irrigation be required? If so, show locations on landscape plan.
16. If applicable, please confirm that all proposed erosion control matting shall be fully biodegradable.
17. The term "mixed use and "multi-use"" are used throughout the application and submitted materials but it appears that this is a two lot project with one lot housing the commercial and the other lot a stand-alone Multi-Family project. Albeit they share access aisles and the sidewalks naturally connect, this seems to be the only connection between the two projects. To avoid confusion, I would avoid using these terms.
18. Provide information that the project meets Section 11.3. It appears that waiver(s) may be needed from these provisions as currently proposed.
19. Provide rationale for the waiver criteria in Section 13.7 for the wetland waiver.
20. You are asking for a waiver from the loading requirements but your narrative states that Lot 6 may "contain a restaurant" but the rationale for the waiver states that the project "will likely consist of a day care facility and smaller offices and/or retail spaces." Please show where they could be located on the plan in the event they are necessary in the future.
21. Provide waiver from Section regarding grading within 5' of a property line.
22. How will trash pick-up for the residential use and commercial uses be handled? Will there be any internal trash storage?
23. Please discuss potential addressing of the site/buildings with the Code Enforcement Officer and Deputy Fire Chief.
24. Suggest reducing parking stall depth from 20' to 19'.
25. Since the existing residential structure is over 50 years old, demolition review in accordance with Section 5.3.5 of the Zoning Ordinance.
26. Provide language on affordable housing restrictions.
27. Will this project be phased? If so, show phasing on plans.
28. Due to the size and scope of the project, a second TRC meeting may be valuable as we move forward in the process. It is suggested that we have a second meeting prior to the first Planning Board meeting on the application.

PUBLIC WORKS COMMENTS

The following comments are based on the information provided by the applicant to the Planning Department, received November 19, 2019.

1. If phased construction is proposed, identify the phases on the plans. Each phase of construction should constitute a complete project and not be contingent on completing future phases.

2. Water use over 20,000 gpd requires water use registration:
<http://des.nh.gov/organization/divisions/water/dwgb/dwspp/wurrrp/index.htm>
<http://des.nh.gov/organization/commissioner/pip/factsheets/dwgb/documents/dwgb-22-31.pdf>
3. ADD NOTE: The contractor must obtain a valid utility pipe installer's license and the job supervisor or foreman must be certified by the town prior to working on any water, sewer, or drainage pipes that are in a town street or right of way, or that will connect or may be connected to a town water, sewer, or drainage system. A licensed supervisor or foreman must be present at the job site at all times during the construction of these utilities.
4. Add a note regarding the hours of the outdoor lighting operations according to Site Plan regulation Section 9.20.4.
5. A waiver is required for cape cod berm curb.

Traffic Study

6. DPW recommends a third-party review of the scope and content of the traffic study. NH DOT should be included in the traffic study review.
7. The traffic study does not address on-site circulations. The following should be addressed:
 - a. The circulation around the commercial building and the main 4-way intersection seems condensed and possibly confusing. The project engineer/representative stated during the TRC meeting that layout works fine and if there are any problems then it would affect the site users and should not be a concern to the town.
 - b. The stacking queues of the turn lanes onto Epping Rd should be evaluated. Stacking at the intersections may result in congestion for the commercial parking lot entrances and exits
 - c. Do not see the need for a curved road and non-perpendicular layout of the 4-way intersection. The centerline of the access road does not need to coincide with the property line, and if it did then add this to the lot line adjustment.
 - d. Loading zones and/or drop off zones may need to be added or anticipated if required.
 - e. The circulation travel way on the west side of the commercial building may be impeded by the perpendicular parking on both sides.
 - f. The gate around the dumpster near the commercial building will block the traffic flow if left open as sometimes happens.

Sheets 7 and 8 of 25 Site Utility Plans

8. Only one hydrant between buildings A and B is required.
9. A hydrant or blowoff will be needed at the ends of the water mains.
10. Use the sewer service stub that was requested and constructed on Epping Rd for the commercial building.
11. If the proposed clubhouse or retail space will include food service or a restaurant, a grease trap may be required.
12. Show the location of the generator for the pump station.
13. The gas, electric, and telecommunication utility layouts must be approved by the utility company for final plan approval.

Sheets 9 and 10 Site Layout Plans

14. Identify van-accessible ADA parking spaces for each property.
15. The ADA spaces should be located close to the building entrances. Some shown require crossing the drive aisle to access the building.

Details

16. Erosion Control notes: change the inspection frequency to every 0.25 inches of rainfall within a 24-hour period instead of 0.5 inches of rainfall to coincide with the 2017 Construction General Permit.
17. Typical Sewer Manhole Detail: add a note to clarify that steps in the manhole are prohibited.
18. Water details:
 - a. Specify that all valves shall open left.
 - b. Specify Buffalo Box-type valve covers.
 - c. Revise hydrant detail to specify that allowable hydrant types are Mueller Centurion, Kennedy K-81D, and Clow Medallion.
19. Confirm that all outdoor lighting fixtures are dark-sky compliant.

FIRE DEPARTMENT COMMENTS

1. The Applicant and representatives have received the Fire Department packet from Ass't. Chief Wilking.
2. Ladder truck radius diagram has been provided to Applicant by Ass't. Chief Pizon via e-mail.

NATURAL RESOURCE PLANNER COMMENTS

Based on application materials provided with the November 20th inter-office transmittal and the submission for the Conservation Commission meeting, I have the following comments with regard to natural resources.

Recommendations from the Conservation Commission November 2019 meeting have been attached to this document. Please note they have not yet determined whether trails are appropriate for the conservation area and were not supportive of a trail parking lot if it added to the impervious cover or buffer impacts.

1. **Natural Resources Plan:** In accordance with Site Plan Review and Subdivision Regulations (SS) 7.12, I recommend a natural resource plan be developed for this project. See SS 9.8 for requirements. The NH Heritage report in the wetland application had identified several rare species and an exemplary community, but the applicant did not yet have the Fish and Game and Heritage recommendations. The applicant expressed a willingness to comply with agency recommendations, but determining presence of habitat for these species should be considered in the natural resource plan, agency recommendations should be provided and included in the plan, and should be incorporated into site design. The NRP should inform whether there are additional needs to reduce impacts like trapping wildlife (ie amphibians, turtles) within the development or to facilitate safe movement from the wetland adjacent to Epping Road to the conservation area, or whether the current design is sufficient. There may be easy ways to accommodate protection/movement through additional plantings, educational signage, small

wildlife culverts/passages, or curbing design for example. This plan should consider resources such as our NRI, the Audubon report, and the recent TNC report that details the importance of the corridor in the western portion proposed for conservation and the benefit this will provide.

2. **Waiver #1: Significant Trees:** Missing waiver criteria. Please note, the burden of this effort was significantly reduced by limiting survey to impact areas and by increasing the tree size to 20" DBH. Given the potential presence of the exemplary community of Swamp White Oak basin swamp, survey for significant trees, including unique species will provide important details on the property and play a role in understanding the potential impacts to natural resources onsite.

3. **Wetland Waiver:**

Response #2 would benefit for more information on whether wetland impact area C will have any residual impacts on the portions of the wetland that will remain on either side of the development. How will the remaining wetland be protected during the construction process through to site stabilization? I have concerns that an erosion control berm will easily be breached during storm events. I could not find the location of the sediment traps.

Response #7: I recognize the mitigation package was submitted to the state but I want to follow up on whether there is potential to dedicate some of the funds for NHFG and NHDOT or the Town as their partner, to re-work the highway fencing under Rte 27 and 101. These bridges are designed to function as wildlife corridors. As mentioned at the site walk and the Conservation Commission meeting, current fencing runs perpendicular to the passageway of the corridor and blocks the ability for wildlife, especially larger species to pass. The conservation area would be substantially more valuable habitat-wise if fencing was modified to facilitate passage of wildlife. Seems like an easy fix and an opportune time.

4. **Wetland Flagging/Survey Dates:** Please confirm that wetlands adjacent to areas impacts were re-surveyed in 2018 vs plotted from Jones and Beech 2014 survey. See storm management area B for example.
5. **Size of Exposed Soil:** Will this be a phased development? What is the largest cleared area at any one time? Ensure the area for clearing coordinates with state recommendations for sediment control. I saw a sediment trap details but could not find its location on the plans.
6. **Landscaping:** Only seeding is proposed along long sections of development where it crosses and partially fills wetlands (wetland impact area C on both sides of development, and wetland impact D). Additional plantings beyond seeding in these areas could help to further protect and buffer the remaining wetlands. Incorporation of native plants including berry, nut, seed and pollen bearing plants and flowers in the landscaping design would help offset the impact to the production export function and enhance habitat.
7. **Lighting:** The lighting plan does not show the wetland area along Epping Road. Confirm lighting overspill in this area is minimized to preserve habitat quality. Illegible lighting specs in plan set. Cannot correlate lighting specs and map labels. Only one light spec includes dark sky seal, others state nighttime friendly. Regulations require dark sky compliant fixtures. Also one LED light is listed as 50k (cool). Cool spectrum LED poses a greater impact to wildlife, especially bats, birds and insects. Consider a warmer spectrum for reduction of wildlife impacts (30k for example).

8. Add requirement for flagging sensitive areas for avoidance as a requirement.
9. Add fertilizer restrictions in buffer areas.
10. Add stockpile equipment/materials/topsoil within disturbance footprint
11. I am unclear of the meaning of the easements referenced on Sheet 2.

Please submit revised plans, as applicable, and a response letter addressing these comments at your earliest convenience so we can arrange for a second technical review meeting prior to the project being presented to the Planning Board. A date for the public hearing will be scheduled accordingly.

TOWN OF EXETER

Planning and Building Department

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

Date: March 19, 2020

To: Jim Petropulos, P.E., Hayner/Swanson, Inc.
Tom Monahan, Manager, Gateway At Exeter

From: Dave Sharples, Town Planner

Re: Site Plan Review TRC Comments
PB Case #19-15 and #19-16 Gateway At Exeter, LLC
Tax Map Parcel #47-6 and #47-7

The following comments are provided as a follow-up after review of the revised plans and supporting documents submitted on 2/4/2020 for the above-captioned project. (TRC meeting scheduled for 2/20/20 was cancelled).

TOWN PLANNER COMMENTS

1. Are there any known environmental hazards on the site? If so, provide detail. *No further comment.*
2. Will any smoke, odors, or excessive noise be generated by the proposal? If so, please describe. *No further comment.*
3. Although not requested by the TRC, thank you for the submission of a fiscal impact analysis. *No further comment.*
4. Show monuments in accordance with Section 9.25. Have the iron rods shown on the subdivision plan around Lot 47-6 been set? If not, please note "to be set on" plans. *No further comment.*
5. If applicable, list state permits required and the status of each. *No further comment.*
6. Recommend meeting the new requirements of Section 7.4.7 and identify significant trees in the area of disturbance and this will negate the need for a waiver. It was noted that trees greater than 20" have been identified on the Existing Conditions Plan. However, "trees proposed for removal shall be labeled as such" and "trees to remain shall be identified on the Site or Subdivision Plan.
7. Suggest providing pedestrian connection to the patio from the northerly sidewalk on Lot 6. The committee recommends that further discussion regarding pedestrian movement and access to and from the site occur at the planning g board. *No further comment.*

8. Show the limits of clearing/disturbance on the plan and the proposed tree line and total square footage of disturbance. *No further comment.*
9. Provide driveway/utility/drainage easements language. *I will review when sent under separate cover.*
10. Committee recommends that the traffic impact analysis is peer reviewed to determine if the proposed scope is adequate and to review and comment on the analysis. Please insure that the analysis includes the requirements of such analyses as set forth in Section 7.14.4. *I will await Mr. Pernaw's response.*
11. Lighting plan should show 0.0 at all property lines. There should be no spillover lighting onto adjacent properties. *I accept .01 foot candles as reasonable. However, not all property lines are shown on the Photometric Plan per the proposed subdivision plan.*
12. Provide information required per Section 9.20.3 thru 9.20.5 are met. Suggest installing a timer on the lights to be shut off/dimmed by 10pm if not in use per Section 9.20.4.4. *The note provided on the Photometric plan excludes "security lighting". Please identify on the plan which lighting fixtures fall under the category of "security lighting".*
13. Provide architectural elevations for all sides of the proposed commercial building on Lot 6 to determine if architectural standards are being met. *Elevations have been submitted. New comments: Flat roof is proposed whereas pitched roofs of 3:12 are required where practical. Provide information in accordance with*
14. Show granite curbing or integrated concrete instead of cape-cod berm wherever curbing is proposed. *If you are going to continue to show asphalt curbing then you need to request a waiver from Section 9.7.5.6.*
15. Was the landscape plan created by a Licensed Landscape Architect? Are the plantings low maintenance and chosen for all site conditions? Will irrigation be required? If so, show locations on landscape plan. *No further comment.*
16. If applicable, please confirm that all proposed erosion control matting shall be fully biodegradable. *No further comment.*
17. The term "mixed use and "multi-use"" are used throughout the application and submitted materials but it appears that this is a two lot project with one lot housing the commercial and the other lot a stand-alone Multi-Family project. Albeit they share access aisles and the sidewalks naturally connect, this seems to be the only connection between the two projects. To avoid confusion, I would avoid using these terms. *No further comment.*
18. Provide information that the project meets Section 11.3. It appears that waiver(s) may be needed from these provisions as currently proposed. *Waiver request provided.*
19. Provide rationale for the waiver criteria in Section 13.7 for the wetland waiver. *Rationale provided.*
20. You are asking for a waiver from the loading requirements but your narrative states that Lot 6 may "contain a restaurant" but the rationale for the waiver states that the project "will likely consist of a day care facility and smaller offices and/or retail spaces." Please show where they could be located on the plan in the event they are necessary in the

future. *The response states that the reference to a restaurant has been removed from the narrative and further states that a restaurant would require a plan amendment. However, if that does actually happen, where would a loading area conceivably be located?*

21. Provide waiver from Section regarding grading within 5' of a property line. *There appears to be grading within 5 feet of the exterior property lines of the two lots that are part of the subdivision. This is a fairly unique situation since you are subdivided off a commercial lot and a residential lot and are grading within 5 feet of the exterior property lines of both those lots since they share access aisles. However, I will contemplate this more to determine if a waiver is warranted.*
22. How will trash pick-up for the residential use and commercial uses be handled? Will there be any internal trash storage? *No further comment.*
23. Please discuss potential addressing of the site/buildings with the Code Enforcement Officer and Deputy Fire Chief. *No further comment.*
24. Suggest reducing parking stall depth from 20' to 19'. *No further comment.*
25. Since the existing residential structure is over 50 years old, demolition review in accordance with Section 5.3.5 of the Zoning Ordinance. *No further comment.*
26. Provide language on affordable housing restrictions. *Staff will review the language when submitted and will suggest legal review.*
27. Will this project be phased? If so, show phasing on plans. *After review of the phasing plans, it is understood that the residential lot will be built out prior to the commercial lot with the exception of a row of seventeen parking stalls on the commercial lot. Is it the intention that these stalls would be available by folks from the residential lot until the commercial lot gets built? Provide easement language for review if this is the intention.*
28. Due to the size and scope of the project, a second TRC meeting may be valuable as we move forward in the process. It is suggested that we have a second meeting prior to the first Planning Board meeting on the application. *Due to the current public health crisis, we have asked all applicants to agree to an extension until the May Planning board meeting. Once we are back up and running, we will schedule a TRC meeting prior to the next Planning Board meeting if deemed necessary at that time.*

PUBLIC WORKS COMMENTS

The following comments are based on the information provided by the applicant to the Planning Department, received February 4, 2020.

1. The phasing plans appear to describe the construction sequencing. Will all of the buildings and infrastructure be built over consecutive construction seasons or will there potentially be delays due to funding, occupancy, etc.? If it is the latter, utilities need to be shown for each phase and should be designed so that they are not dependent on a future phase being completed to be fully functional.
2. No further comment.
3. No further comment.

4. No further comment.
5. A waiver is required for bituminous cape cod berm curb.

Traffic Study

6. The peer review of the traffic study indicated that more had to be studied and coordinated with the Town and NHDOT. Therefore, any suggested improvements are not understood and incomplete at this time. A discussion will need to happen regarding timing of corridor improvements with that of the proposed development once any off-site improvements are understood.
7. The traffic study does not address on-site circulations. The following should be addressed:
 - a. DPW disagrees that creating a substandard intersection configuration when no physical constraints to correct it exist.
 - b. If vehicles entering the Northern Site Driveway from Exeter Rd [sic] are attempting to turn left into the first driveway into the parking lot and it is blocked by the vehicles attempting to leave the site, a backup on Epping Road may result. This was not addressed in the traffic study.
 - c. The centerline of the road and the property line do not need to match, especially if it will improve the road way configuration.
 - d. The waiver request states that delivery vehicles will use the driveways for parking during deliveries; however, the response letter from HSI states that there will be dedicated parking spaces for small delivery vehicles. Please clarify. If parking spaces are to be used, they should not be counted toward the required parking to be provided. If the driveways are to be used, the Fire Department should review this.
 - e. The circulation travel way on the west side of the commercial building may be impeded by the perpendicular parking on both sides.
 - f. The gate around the dumpster near the commercial building will block the traffic flow if left open as sometimes happens.

Sheets 7 and 8 of 25 Site Utility Plans

8. No further comment.
9. Provide a detail for the water blow-off.
10. No further comment.
11. No further comment.
12. The generator pad should not be over the proposed sewer main to allow for future maintenance. Maintain separation to allow for excavation of the sewer main.
13. The gas, electric, and telecommunication utility layouts must be approved by the utility company for final plan approval. We understand that utility coordination is ongoing.

Sheets 9 and 10 Site Layout Plans

14. No further comment.
15. No further comment.

Details

16. No further comment.
17. No further comment.
18. No further comment.
19. Confirm that all outdoor lighting fixtures are dark-sky compliant.
20. New comment: A larger diameter DMH and CB may be required where the 24-inch drain lines are used.

FIRE DEPARTMENT COMMENTS

1. The Applicant and representatives have received the Fire Department packet from Ass't. Chief Wilking.
2. Ladder truck radius diagram has been provided to Applicant by Ass't. Chief Pizon via e-mail.

NATURAL RESOURCE PLANNER COMMENTS

My main comment is that they are using the conservation land to meet their rec requirements. At the CC meeting there was not consensus that they wanted trails on the property given the presence of vernal pools and worried it would devalue the habitat quality. Jim was planning on coming to Tues 3/17/20 CC meeting to discuss but the meeting is cancelled.

2500.00

December 13, 2019

David Sharples, Town Planner
Town Planning Office, Town of Exeter
10 Front Street
Exeter, NH 03833

Re: *Gateway at Exeter Site Plan Review*
 Design Review Engineering Services
 Exeter, New Hampshire

Site Information:

Tax Map/Lot#:	Map #47, Lots 6 and 7	Review No. 1
Address:	170 Epping Road	
Lot Area:	16.7 Acres (both lots)	
Proposed Use:	Mixed Use - Commercial and Residential	
Water:	Town	
Sewer:	Town	
Zoning District:	C-3	
Applicant:	Gateway at Exeter LLC, 20 Trafalgar Square, Suite 610 Nashua, NH 03063	

Application Materials Received:

- Site plan set for Lot Line Adjustment/Subdivision dated November 6, 2019, prepared by Hayner/Swanson, Inc.
- Site plan set for Proposed Mixed-Use Development, dated November 6, 2019, prepared by Hayner/Swanson, Inc.
- Site plan application materials for the Lot Line Adjustment/Subdivision plan prepared by Hayner/Swanson, Inc.
- Site plan application materials and waiver requests for the Mixed-Use Development plan set prepared by Hayner/Swanson, Inc.
- Conditional Use Permit Application for the proposed Mixed-Use Development by Hayner/Swanson, Inc.
- Proposed Pump Station Computations, dated November 19, 2019 prepared by Hayner/Swanson, Inc.
- Alteration of Terrain Permit Application dated November 19, 2019, prepared by Hayner/Swanson, Inc.
- Fiscal Impact Analysis dated November 13, 2019 prepared by Fougere Planning & Development, Inc. (not reviewed by Underwood Engineers)
- Traffic Impact Assessment dated November 2019, prepared by Stephen G. Pernaw & Company (not reviewed by Underwood Engineers)

ph 603.230.9898

fx 603.230.9899

99 North State Street

Concord, NH 03301

underwoodengineers.com

Dear Mr. Sharples:

Based on our review of the above information, in addition to comments already provided by the Town, we offer the following comments in accordance with the Town of Exeter Regulations and standard engineering practice. Please note the Traffic Impact Analysis was not reviewed, therefore there are no comments relating to offsite improvements.

General Comments

1. **Phasing:** Phasing of project construction should be addressed, either in narrative form or as a Phasing Plan, as applicable. Phase II is referred to on Sheet 14, but it is unclear what Phase II is.
2. **Natural Resources Plan:** The endangered slender blue-bearded iris was identified in the NHB report in very close proximity to this project site. As discussed during the TRC meeting, if there has been further correspondence with NHB regarding this endangered species, or if a plant survey has been done, the documentation shall be included in a Natural Resources Plan per Section 9.8 of the site plan regulations.
3. **Construction Materials:** It appears that a significant amount of wetland humus may be generated when the wetland areas are grubbed prior to filling. Reuse of the humus on site within the stormwater detention basins and on fill slopes abutting the wetlands, is preferred to removal from the site as the soil will contain the typical local seed material within it and the practice will limit the transportation offsite of any invasive species that may be present.
4. **Geotechnical/Subsurface:** Given the wetlands and ledge onsite, consideration should be given to having any required geotechnical/subsurface investigations done sooner rather than later in this project. Depth of unsuitable materials and building bearing capacities are just two aspects that could have significant impacts on a project of this magnitude. We recommend that the financial analysis be updated to reflect the findings of the geotechnical/subsurface investigation.
5. **Blasting:** If blasting for ledge or boulders is anticipated, in addition to the usual blasting plan requirements, the NHDOT should be contacted early in the process regarding any special requirements due to proximity of the highway ramps and bridge abutments.

Site Layout

6. **Curb Cuts:** One access point is allowed per 600' of frontage per 6.8.1.B. This development will serve two separate lots, but the two access points should be confirmed by the Town.
7. **Turn Lane Stacking:** Please confirm the length of the stacking lanes shown at each of the site entrances is adequate in regards to the site usage.
8. **Generators:**
 - If an exterior generator is required for the day care, a pad location should be shown on the site plans.



- On the detail sheet 21, a generator for the sewer pump station is referenced in Note 12, but not shown on the site plans. The location of the generator pad should be shown on the plans.

Utility Plans

9. **Water Main:** Bends should be shown along the water mains where applicable
10. **Water Service to Building A:** The plan depicts the fire and domestic services being pulled off the line after the fire hydrant. For water quality reasons, UE recommends pulling the service lines off the main before the hydrant.
11. **Force Main:** The cleanout manhole should be moved farther away from the hydrant line at Building A. (Approx. Sta. 4+05 on the profile sheet)
12. **Hoods in Catch Basins:** We recommend hoods in catch basins for stormwater pretreatment.

Utility Profiles

13. **Stationing:** We recommend using unique station numbers for each alignment in order to eliminate confusion.
14. **Crossing Conflicts:**
 - A drain line appears to be too close to SMH 2 at approx. Sta. 1+00
 - There is less than a foot of vertical clearance between the 24" drain and the sewer line between SMH 3 and the pump station at approx. Sta. 7+25.

Detail Sheets (Sheets 16-22)

15. **Typical Pavement Section (Sheet 17):** The pavement depth is shown as 4", but should be changed to 3" binder and 1" wearing per Town standards.
16. **Typical Valve Box Detail (Sheet 22):** Buffalo boxes should be specified, per Town standard.
17. **Fire Hydrant Installation (Sheet 22):** Confirm color of hydrant with Town of Exeter Water Department.

Landscape Plans

18. **Utility Conflicts:** All utility lines should be shown on the landscape plans so that conflicts between utility lines/structures and tree roots can be assessed.
19. **Snow Storage:** Snow storage area should be shown on the landscape plans to confirm these areas will be kept clear of trees.
20. **Tree Locations:** The following trees should either be moved, removed, or replaced with different plants:
 - Trees are shown around the perimeter of Stormwater Management Area C, the underground chamber system. The roots may interfere with the function of the system.
 - The tree shown in the pavement area near the pedestrian bridge.
 - The tree located next to the sewer pump station.



- The pines shown within the sediment forebay area of Stormwater Management Area A.
- Trees shown on the 3:1 slopes of Stormwater Management Area A.

Stormwater Design and Modeling

- 21. Basin Depth:** Stormwater Management Area A is designed for 4' of standing water at all times. As designed, fencing would be required around the basin. Consideration should be given to raising the bottom to elevation 101' in order to reduce the standing water depth to 3'. This would eliminate the need for fencing and would be more beneficial for plant growth.
- 22. Drainage Analysis:** The following comments relate to the drainage analysis included in the Alteration of Terrain package.
- The weir detail (Sheet 20) depicts the top of the concrete weir for Stormwater Management Area B at elevation 108.25'. However, this weir elevation (and length) is not reflected in the model, rather the model defaults to the broader top of the basin at elevation 108.75'. Please revise. As modelled, the 10, 25 and 50-YR peak water surface elevations are all anticipated to exceed 108.25'.
 - Stormwater Management Area C, the chamber system, is modeled as connected to Stormwater Management Area A, however no direct connection is apparent. The chamber system relies on infiltration to mitigate the run-off, however if the chamber system's capacity were to be diminished over time, or simply overwhelmed due to multiple days of back to back events, it is unclear how the run-off would make its way to Area A. Please clarify or provide a failure analysis.
- 23. PTAP Database:** The Applicant is requested to enter project related stormwater tracking information contained in the site plan application documents using the Great Bay Pollution Tracking and Accounting Program (PTAP) database (www.unh.edu/unhsc/ptapp).

Please contact us if you have any questions.

Very truly yours,

UNDERWOOD ENGINEERS, INC.



Allison M. Rees, P.E.
Project Manager



Robert J. Saunders, P.E.
Project Manager



2500.00

March 13, 2020

David Sharples, Town Planner
Town Planning Office, Town of Exeter
10 Front Street
Exeter, NH 03833

Re: *Gateway at Exeter Site Plan Review*
 Design Review Engineering Services
 Exeter, New Hampshire

Site Information:

Tax Map/Lot#:	Map #47, Lots 6 and 7	Review No. 2
Address:	170 Epping Road	
Lot Area:	16.7 Acres (both lots)	
Proposed Use:	Mixed Use - Commercial and Residential	
Water:	Town	
Sewer:	Town	
Zoning District:	C-3	
Applicant:	Gateway at Exeter LLC, 20 Trafalgar Square, Suite 610 Nashua, NH 03063	

Revised Application Materials Received:

- Site plan set for Proposed Mixed-Use Development, dated November 6, 2019, revised January 31, 2020, prepared by Hayner/Swanson, Inc.
- Response letter dated January 31, 2020, prepared by Hayner/Swanson, Inc.
- Waiver requests prepared by Hayner/Swanson, Inc.
- Alteration of Terrain Permit Application dated November 19, 2019, revised January 31, 2020 prepared by Hayner/Swanson, Inc.

Dear Mr. Sharples:

Based on our review of the above information, we offer the following comments in accordance with the Town of Exeter Regulations and standard engineering practice. Please note the Traffic Impact Analysis was not reviewed, and the VHB comment letter alluded to in the response letter was never received, therefore there are no comments relating to offsite improvements.

Please note we were told by the Town that Section 7.6, Large Scale Multi-Family Open Space Development, is not applicable to this project.

General Comments

1. **Waiver Requests:** We do not recommend granting the following waiver requests:

- **Loading Spaces 9.12.1** – The proposed use(s) of the commercial building are undefined and potentially subject to change. Retail spaces typically receive regular deliveries of inventory via large trucks as opposed to office spaces that typically receive deliveries from smaller trucks. The layout also lacks designated areas for bus parking/loading (for the daycare use) as well as designated areas for daycare drop-off/pick-up. Absent of these areas, even common areas that could serve these functions, UE is struggling to understand how the site would function as designed.
- **Number of Parking Spaces 9.13.1** – We do not object to a waiver for an overall reduction of parking spaces, but we do not recommend granting the waiver as currently configured. The proposed development is comprised of two separate lots proposing very different uses. There is no guarantee that the lots will remain under common ownership where (at least some of) the proposed parking spaces remain “in-common”. The waiver request results in approximately 50% reduction in spaces for the commercial use, which when reviewed in light of the concerns about loading/deliveries/daycare activities expressed above, is an even greater concern.
- **Recreational Space 11.3.1.4** – We understand the use of the remaining parcel for conservation or recreation is still under discussion between the Conservation Commission and the Owner. The only other recreation space proposed for the 224 residential units is a small pool, approx. 30’x18’.

Permits

2. **Wetlands Disturbance:** There will be temporary disturbance to the wetlands to install/construct the pedestrian bridge, as equipment will need to cross. This area needs to be added to the plans, and the wetlands permit should be amended. Note(s) should be added to clarify restoration requirements.
3. It is noted that some of the proposed wetland disturbance is within the public ROW. As such, the Town and/or NHDOT as appropriate may need to be listed as the landowner on the wetland impact permit. The NHDES may require a Letter of Authorization from the Town/NHDOT to apply for the permit.
- Note: Excavated soils contained within the NHDOT-controlled ROW are considered Limited Re-Use Soils (LRS). The applicant is advised to discuss LRS protocols and restrictions as they may relate to this project in order to develop a plan for the management of the materials.

Site Layout

4. **Perimeter Buffer:** A 50’ perimeter buffer is required per section 9.6.1.2. This is not met in all locations. A waiver is required.



5. **Delivery Spaces:** The response letter states there will be spots dedicated to small package delivery vehicles. Please label those spaces. Clarify if the dedicated spaces are included in the parking calculation and accounted for in the waiver request?
6. **Dumpster Pad:** The dumpster pad for the commercial building is straddling the property line. This should be moved entirely onto the commercial parcel.
7. **Bollards:** Bollards should be strategically placed around the sewer pump station and generator area for protection.
8. **Fenced Area:** The purpose of the fenced in area to the north of the pool is unclear.
9. **Building Setback:** Building C is shown with less than the required 10' setback from parking areas on the southeast side. A waiver is required.

Grading and Drainage Plans

10. **Dumpster Pads:** Dumpster pads should be sloped towards the parking area or curbed to prevent runoff from the dumpster areas from directly entering wetlands or stormwater treatment areas.
11. **Steep Grades off of Pavement:** Please confirm guardrails will be installed anywhere slopes coming off the pavement are greater than 3:1.

Utilities

12. **Sewer Easement:** The force main from the residential lot crosses through the commercial lot. Easement lines should be shown.
13. **Shared Drainage System:** The closed drainage system on the commercial lot crosses onto the residential lot, and the stormwater from the commercial lot is managed and treated on the residential lot. Please address whether this will be handled through easements, agreements, deed restrictions, etc.
14. **Gas Service:** A gas service is shown to the commercial building. If the residential buildings will also be serviced by gas, the gas lines should be shown.
15. **Offset from Building:** The center of DMH 44 appears to be approximately 4' from the outside wall of Building B. Moving this structure further away from the building should be considered.
16. **Sewer – Drainage Separation:** The horizontal distance between the 8" sewer and CB 21 should be increased.

Detail Sheets (Sheets 16-22)

17. **Dumpster Pad:** The dumpster pad requires end welded rebar. Was this really the intent or is this note a hold-over in the detail?

Stormwater Treatment, Design and Modeling

18. **Freeboard in the 50-year event:** Both Stormwater Management Areas A & B approach overtopping in the 50-year storm event. The New Hampshire Stormwater Manual, Volume 2, provides guidance recommending a 1' freeboard to overtopping the basin during the 50-year event.



Page 4 of 4
David Sharples
March 13, 2020

Other

19. Renderings: The Procon elevation renderings do not match the site plan. Coordination is needed.

Please contact us if you have any questions.

Very truly yours,

UNDERWOOD ENGINEERS, INC.



Allison M. Rees, P.E.
Project Manager



Robert J. Saunders, P.E.
Project Manager





RECEIVED

NOV 19 2019

TOWN OF EXETER
MINOR SUBDIVISION, MINOR
SITE PLAN, AND/OR LOT LINE
ADJUSTMENT APPLICATION

EXETER PLANNING OFFICE

OFFICE USE ONLY

THIS IS AN APPLICATION FOR:

- () MINOR SITE PLAN
(x) MINOR (3lots or less)
SUBDIVISION () LOTS
(x) LOT LINE ADJUSTMENT

#19-15	APPLICATION
11/19/19	DATE RECEIVED
125.00	APPLICATION FEE
150.00	PLAN REVIEW FEE
140.00	ABUTTER FEE
	LEGAL NOTICE FEE
	INSPECTION FEE
\$415.00	TOTAL FEES
	AMOUNT REFUNDED

Per. V # 1009

1. NAME OF LEGAL OWNER OF RECORD: GATEWAY AT EXETER, LLC

ADDRESS: 20 TRAFALGAR SQ., Suite 610, NASHUA, NH 03063

TELEPHONE: () 603-880-0502

2. NAME OF APPLICANT: GATEWAY AT EXETER, LLC

ADDRESS: 20 TRAFALGAR SQ., Suite 610, NASHUA, NH 03063

TELEPHONE: () 603-880-0502

3. RELATIONSHIP OF APPLICANT TO PROPERTY IF OTHER THAN OWNER: _____

OWNER

(Written permission from Owner is required, please attach.)

4. DESCRIPTION OF PROPERTY:

ADDRESS: 170 EPPING ROAD

TAX MAP: 47 PARCEL #: 6 : 7 ZONING DISTRICT: C-3

AREA OF ENTIRE TRACT: 60.34 Ac PORTION BEING DEVELOPED: 16.7 Ac
(2 lots)



5. EXPLANATION OF PROPOSAL:

See ATTACHED Project Narrative

6. ARE MUNICIPAL SERVICES AVAILABLE? (YES/NO)

Yes

IF YES, WATER AND SEWER SUPERINTENDENT MUST GRANT WRITTEN APPROVAL FOR CONNECTION. IF NO, SEPTIC SYSTEM MUST COMPLY WITH W.S.P.C.C. REQUIREMENTS.

7. LIST ALL MAPS, PLANS AND OTHER ACCOMPANYING MATERIAL SUBMITTED WITH THIS APPLICATION:

ITEM:

NUMBER OF COPIES

- A. See ATTACHED Transmittal
- B. _____
- C. _____
- D. _____
- E. _____
- F. _____

8. ANY DEED RESTRICTIONS AND COVENANTS THAT APPLY OR ARE CONTEMPLATED (YES/NO) Yes IF YES, ATTACH COPY. SEE PLAN

9. NAME AND PROFESSION OF PERSON DESIGNING PLAN:

NAME: WAYNE/SWANSON, INC.

ADDRESS: 3 CONGRESS ST., NASHUA, NH 03062

PROFESSION: LAND SURVEYING TELEPHONE: () 603-883-2057

CIVIL ENGINEERING

10. LIST ALL IMPROVEMENTS AND UTILITIES TO BE INSTALLED:

None



11. HAVE ANY SPECIAL EXCEPTIONS OR VARIANCES BEEN GRANTED BY THE ZONING BOARD OF ADJUSTMENT TO THIS PROPERTY PREVIOUSLY?

(Please check with the Planning Department Office to verify) (YES/NO) Yes IF YES, LIST BELOW AND NOTE ON PLAN.

MAY 21, 2019 VARIANCE TO ALLOW MULTI-FAMILY RESIDENTIAL
AS PART OF A MIXED-USE DEVELOPMENT

NOTICE:

I CERTIFY THAT THIS APPLICATION AND THE ACCOMPANYING PLANS AND SUPPORTING INFORMATION HAVE BEEN PREPARED IN CONFORMANCE WITH ALL APPLICABLE TOWN REGULATIONS, INCLUDING BUT NOT LIMITED TO THE "SITE PLAN REVIEW AND SUBDIVISION REGULATION" AND THE ZONING ORDINANCE. FURTHERMORE, IN ACCORDANCE WITH THE REQUIREMENTS OF THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS", I AGREE TO PAY ALL COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

DATE

11/8/2019

APPLICANT'S SIGNATURE

[Signature]

ACCORDING TO RSA 676.4.I (c), THE PLANNING BOARD MUST DETERMINE WHETHER THE APPLICATION IS COMPLETE WITHIN 30 DAYS OF SUBMISSION. THE PLANNING BOARD MUST ACT TO EITHER APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION WITHIN SIXTY FIVE (65) DAYS OF ITS ACCEPTANCE BY THE BOARD AS A COMPLETE APPLICATION. A SEPARATE FORM ALLOWING AN EXTENSION OR WAIVER TO THIS REQUIREMENT MAY BE SUBMITTED BY THE APPLICANT.



ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
NAME _____
ADDRESS _____

TAX MAP _____
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SEE ATTACHED
ABUTTERS LIST

Please attach additional sheets if needed



CHECKLIST FOR LOT LINE ADJUSTMENT, MINOR SITE PLAN, or MINOR SUBDIVISION PLAN PREPARATION

The checklist on the following page has been prepared to assist you in the preparation of your subdivision plan. The checklist items listed correspond to the subdivision plan requirements set forth in Section 7 of the "Site Plan Review and Subdivision Regulations". Unless otherwise indicated, all section references within this checklist refer to these regulations. Each of the items listed on this checklist must be addressed prior to the technical review of subdivision plans by the Technical Review Committee (TRC). See Section 6.5 of the "Site Plan Review and Subdivision Regulations". This checklist **DOES NOT** include all of the detailed information required for subdivision and lot line adjustment plans and therefore should not be the sole basis for the preparation of these plans. For a complete listing of subdivision plan requirements, please refer to Section 7 of the "Site Plan Review and Subdivision Regulations". In addition to these required plan items, the Planning Board will review subdivision plans based upon the standards set forth in Sections 8 and 9 of the "Site Plan Review and Subdivision regulations". As the applicant, it is **YOUR RESPONSIBILITY** to familiarize yourself with these standards and to prepare your plans in conformance with them.

Please complete this checklist by marking each item listed in the column labeled "Applicant" with one of the following: "X" (information provided); "NA" (note applicable); "W" (waiver requested). For all checklist items marked "NA", a final determination regarding applicability will be made by the TRC. For all items marked "W", please refer to Section 11 of the "Site Plan Review and Subdivision Regulations" for the proper waiver request procedure. All waiver requests will be acted upon by the Planning Board at a public hearing. Please contact the Planning Department office, if you have any questions concerning the proper completion of this checklist.

All of the required information for the plans listed in the checklist must be provided on separate sheets, unless otherwise approved by the TRC.

NOTE: AN INCOMPLETE CHECKLIST WILL BE GROUNDS FOR REJECTION OF YOUR APPLICATION.



CHECK LIST FOR MINOR SITE PLAN REVIEW, MINOR SUBDIVISION AND LOT LINE ADJUSTMENT

APPLICANT	TRC	REQUIRED EXHIBITS, SEE REGULATION 6.6.2.4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	a) The name and address of the property owner, authorized agent, the person or firm preparing the plan, and the person or firm preparing any other data to be included in the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	b) Title of the site plan, subdivision or lot line adjustment, including Planning Board Case Number.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	c) Scale, north arrow, and date prepared.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	d) Location of the land/site under consideration together with the names and address of all owners of record of abutting properties and their existing use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	e) Tax map reference for the land/site under consideration, together with those of abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	f) Zoning (including overlay) district references.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	g) A vicinity sketch showing the location of the land/site in relation to the surrounding public street system and other pertinent location features within a distance of 1,000-feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	h) For minor site plan review only, a description of the existing site and proposed changes thereto, including, but not limited to, buildings and accessory structures, parking and loading areas, signage, lighting, landscaping, and the amount of land to be disturbed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	i) If deemed necessary by the Town Planner, natural features including watercourses and water bodies, tree lines, and other significant vegetative cover, topographic features and any other environmental features which are significant to the site plan review or subdivision design process.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	j) If deemed necessary by the Town Planner, existing contours at intervals not to exceed 2-feet with spot elevations provided when the grade is less than 5%. All datum provided shall reference the latest applicable US Coast and Geodetic Survey datum and should be noted on the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	k) If deemed necessary by the Town Planner for proposed lots not served by municipal water and sewer utilities, a High Intensity Soil Survey (HISS) of the entire site, or portion thereof. Such soil surveys shall be prepared and stamped by a certified soil scientist in accordance with the standards established by the Rockingham County Conservation District. Any cover letters or explanatory data provided by the certified soil scientist shall also be submitted.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	l) State and federal jurisdictional wetlands, including delineation of required setbacks.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	m) A note as follows: "The landowner is responsible for complying with all applicable local, State, and Federal wetlands regulations, including any permitting and setback requirements required under these regulations."
<input checked="" type="checkbox"/>	<input type="checkbox"/>	n) Surveyed exterior property lines including angles and bearings, distances, monument locations, and size of the entire parcel. A professional land surveyor licensed in New Hampshire must attest to said plan.



<input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	o) For minor site plans only, plans are not required to be prepared by a professional engineer or licensed surveyor unless deemed essential by the Town Planner or the TRC.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	p) For minor subdivisions and lot line adjustments only, the locations, dimensions, and areas of all existing and proposed lots.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	q) The lines of existing abutting streets and driveways locations within 100-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	r) The location, elevation, and layout of existing catch basins and other surface drainage features.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	s) The footprint location of all existing structures on the site and approximate location of structures within 100-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	t) The size and location of all existing public and private utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	u) The location of all existing and proposed easements and other encumbrances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	v) All floodplain information, including contours of the 100-year flood elevation, based upon the Flood Insurance Rate Map for Exeter, as prepared by the Federal Emergency Management Agency, dated May 17, 1982.
<input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	w) The location of all test pits and the 4,000-square-foot septic reserve areas for each newly created lot, if applicable.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	x) The location and dimensions of all property proposed to be set aside for green space, parks, playgrounds, or other public or private reservations. The plan shall describe the purpose of the dedications or reservations, and the accompanying conditions thereof (if any).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	y) A notation shall be included which explains the intended purpose of the subdivision. Include the identification and location of all parcels of land proposed to be dedicated to public use and the conditions of such dedications, and a copy of such private deed restriction as are intended to cover part of all of the tract.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	z) Newly created lots shall be consecutively numbered or lettered in alphabetical order. Street address numbers shall be assigned in accordance with <u>Section 9.17 Streets</u> of these regulations.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	aa) The following notations shall also be shown: <ul style="list-style-type: none"> • Explanation of proposed drainage easements, if any • Explanation of proposed utility easement, if any • Explanation of proposed site easement, if any • Explanation of proposed reservations, if any • Signature block for Board approval as follows:
<input type="checkbox"/>	<input type="checkbox"/>	<p style="text-align: center;">Town of Exeter Planning Board</p> <p style="text-align: center;">Chairman _____ Date _____</p>

LOT LINE ADJUSTMENT/SUBDIVISION PLAN

PROJECT NARRATIVE

The lots under consideration for this application are located at 170 Epping Road in Exeter, NH. The parcels are known to the Exeter Assessors Department as Map 47, Lot 6 and Map 47, Lot 7. Both lots are located in Exeter's C-3 Epping Road Highway Commercial zoning district. The Epping Road corridor contains a number of commercial and industrial businesses. Developed commercial land abuts the property to the south and east. New Hampshire Route 101 immediately abuts the site to the north and, to the west, the property that is immediately adjacent is conservation land owned by the Town of Exeter.

The subject property contains one undeveloped, sparsely wooded lot of 60.0 acres in size and one single family residential lot of 0.34 acres. As can be seen on the attached plans the property contains mild topographical relief. The high point near the center of the lots is at elevation 120.0 +/- and the land slopes off in several directions to the mapped wetlands which range in elevation from 106.0 to 112.0. Wetlands on the property were flagged in 2018 by Gove Environmental Services and field located by Hayner/Swanson, Inc. All of the wetlands identified on the property are forested wetlands with poorly drained mineral soils, typical in New England and within the area. The utilities needed to service this site (sewer, water, telephone, electric and gas) are located in Epping Road.

This application includes a land plan with two specific purposes. The common lot line between Lots 47-6 and 47-7 will be adjusted thereby transferring 2.10 acres of land from 47-7 to 47-6. Lot 47-7 will then be further subdivided into two lots. 47-7 will contain 14.27 acres of land and will be part of a mixed-use development. Lot 47-7-1 will measure 43.6 acres in size and it is intended to be conveyed to the Town of Exeter subject to an agreement with the New Hampshire Department of Environmental Services Wetlands Bureau (mitigation for wetland impacts).



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

February 3, 2020
Job #5532-SUB

Ms. Barbara McEvoy
EXETER PLANNING DEPARTMENT
10 Front Street
Exeter, NH 03833

**RE: PROPOSED LOT LINE ADJUSTMENT/SUBDIVISION PLAN
FINAL SUBMISSION
170 EPPING ROAD
EXETER, NEW HAMPSHIRE**

Dear Barbara:

Pursuant to the above referenced project please find enclosed revised plans and application material that are required for Planning Board submission. Please be aware that we have made the following edit to this plan set:

- We have added to note 4 on sheet 1 of 5 stating that "It is intended that lot 7-1, Map 47 be conveyed to the Town of Exeter for conservation purposes. At that time, it will be consolidated, by the Town of Exeter, with abutting lot 2, Map 56 by voluntary merger form".

Please do not hesitate to contact our office if you have any questions or need additional information.

Respectfully,

James N. Petropulos, P.E.
Principal Engineer/ President
Hayner/Swanson, Inc.

RECEIVED

FEB 4 2020

EXETER PLANNING OFFICE

ABUTTER LIST***Job No.5532****November 15, 2019*

Map	Lot No.	Name & Address
<i>OWNER(S):</i>		
47	6 & 7	Gateway at Exeter, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
<i>ABUTTERS:</i>		
40	9	State of New Hampshire Department of Transportation P.O. Box 483 Concord, NH 03302
40	11	Net Lease Realty I, Inc. Attn: Ingrid Irvin 450 S. Orange Avenue, Ste. 900 Orlando, FL 32801
41	1	State of New Hampshire Fish and Game Department 2 Hazen Drive Concord, NH 03302
46	1	12 Continental Drive, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
47	4-6	Executive Business Park Condominium c/o Sherrill Holdings, LLC Attn: John Sherrill, President 8E Continental Drive Exeter, NH 03833
47	4-15	164 Epping Rd, LLC 3 Brookhaven Road Kingston, NH 03848
47	5	Gladstone Realty, LLC 12 Bills Way Bedford, NH 03110
47	8	Ray Farm, LLC 158 Shattuck Way Newington, NH 03801
47	8-1	CKT Associates 158 Shattuck Way Newington, NH 03801
56	2	Town of Exeter 10 Front Street Exeter, NH 03833

James N. Petropulos, P.E.
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Dennis C. Pollock, LLS
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Gove Environmental Services, Inc.
Attn: Brendan Quigley, CWS
8 Continental Drive
Building #2, Unit 'H'
Exeter, NH 03833-7507



41-1

STATE OF OHIO
DEPARTMENT OF REVENUE

47-7

47-4-6

18

46-2

46-3

60

10

47-4-11

30

8 8 8

47-4-12

47-2-1

47-3

162

47-4-15

8 8 8

47-4-10

8 8 8

47-5

166

47-4

164

47-6

40-9

191

CRONIN RD

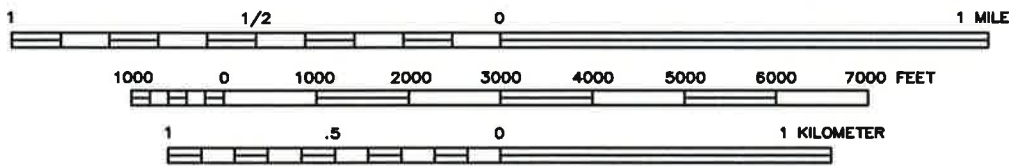
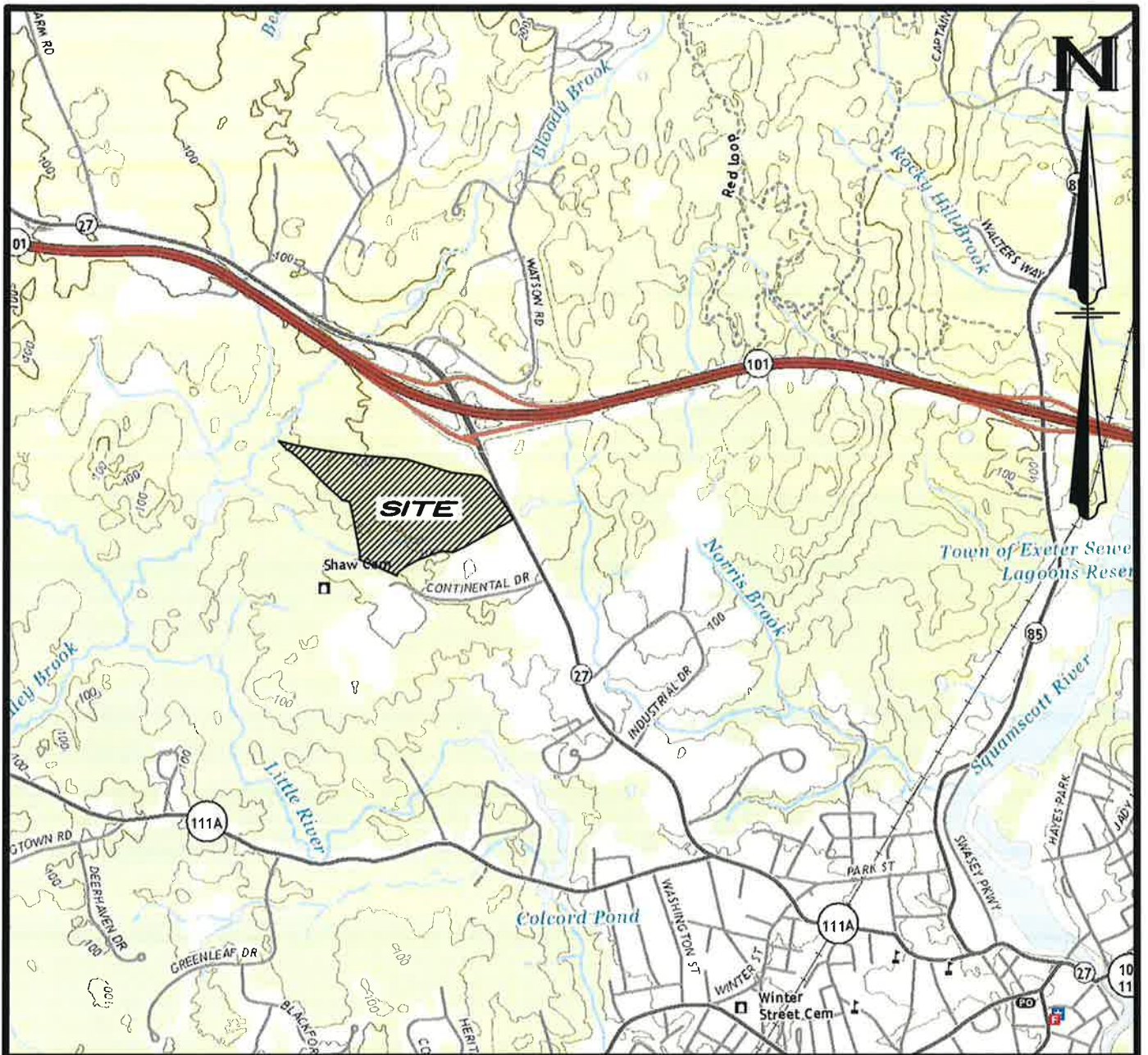
EPPING RD

CONTINENTAL DR

103

103

103



CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988



FIG. 1

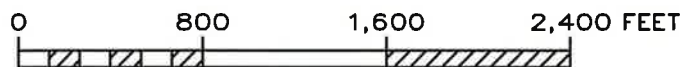
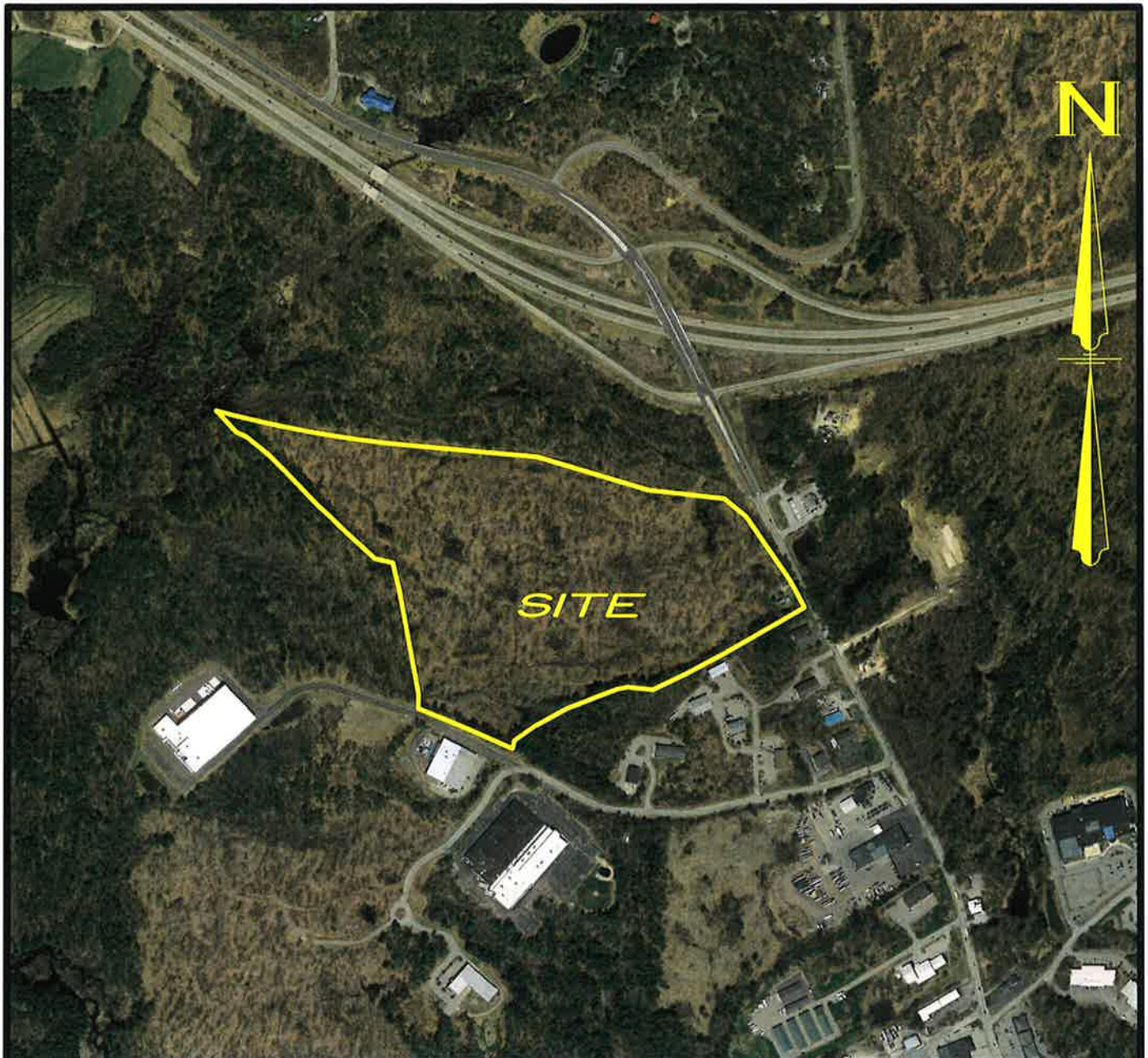
VICINITY PLAN
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

PREPARED FOR:
GATEWAY AT EXETER, LLC
20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

HSI Hayner/Swanson, Inc.
3 Congress Street Nashua, NH 03062 (603) 883-2057
131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
www.haynerswanson.com

DRAWING: 5532SPP 19 USGS
LOCATION: J:\5000\5532\DWG\5532 SPP19

5532
File Number



AERIAL MAP
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

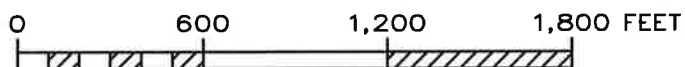
PREPARED FOR:
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

FIG. 3

HSI Hayner/Swanson, Inc.
 3 Congress Street Nashua, NH 03062 (603) 883-2057
 131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
www.haynerswanson.com

DRAWING: 5532SPP 19 USGS
 LOCATION: J:\5000\5532\DWG\5532 SPP19

5532
 File Number



NRCS SOILS MAP
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

PREPARED FOR: FIG. 2
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, NASHUA, NH 03063
 OCTOBER 2019

 **HSI** Hayner/Swanson, Inc.
3 Congress Street Nashua, NH 03062 (603) 883-2057
131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
www.haynerswanson.com

File Number

LETTER OF TRANSMITTAL

To:
Ms. Barbara McEvoy
Exeter Planning Department
Town Hall
Exeter, NH 03833

Date: November 19, 2019	#5532-SUB
Re:	
Proposed Lot Line Adj./Subdivision Plan for TRC	
Case #19-15	
170 Epping Road	
Exeter, NH	

WE ARE SENDING YOU

☒ Attached ☐ Under separate cover via _____ the following items:

- ☐ Shop drawings ☐ Prints ☒ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ Permit Application _____

Scope:

COPIES	DATE	NO.	DESCRIPTION
1			Cover Letter from Hayner/Swanson, Inc.
1			Lot Line Adjustment/Subdivision Plan Application w/FEE
3			Gummed Mailing Labels
1			Abutters List
1			Project Narrative
5			Complete Sets of Plans
1			Aerial Map/USGS Locus/Tax Map
			A PDF OF THE SUBMITTAL MATERIAL SHALL BE SENT VIA EMAIL

REMARKS:

CC: Underwood Engineers, Inc.



James N. Petropulos, P.E.
President/Principal Engineer

**H&S**

Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

November 19, 2019

Job #5532-SUB

Ms. Barbara McEvoy

EXETER PLANNING DEPARTMENT

10 Front Street

Exeter, NH 03833

**RE: PROPOSED LOT LINE ADJUSTMENT/SUBDIVISION PLAN
CASE #19-15
170 EPPING ROAD
EXETER, NEW HAMPSHIRE**

Dear Barbara:

Please find enclosed a Lot Line Adjustment/Subdivision Plan application to the Exeter Planning Board for property located at 170 Epping Road in Exeter, NH.

The breakdown of the Lot Line Adjustment/Subdivision Plan application fee is:

\$125.00 plus \$50/lot X 3 lots	\$275.00
<u>\$10 ea. X 14 abutters</u>	<u>\$140.00</u>
Total Submittal Fee:	\$415.00

In advance we thank you for your cooperation in processing this information. As always please do not hesitate to contact me if you have any questions or comments.

Respectfully,

James N. Petropulos, P.E.

Principal Engineer/ President

HAYNER/SWANSON, INC.

1009


Gateway At Exeter LLC

 20 Trafalgar Square, Suite 610
 Nashua, NH 03063
 603-880-0502

LowellFive
 LOWELL, MASSACHUSETTS 01851

53-7133/2113

11/18/2019

 PAY TO THE
 ORDER OF Town Of Exeter

\$ **415.00

Four Hundred Fifteen and 00/100*****

DOLLARS

 Town Of Exeter
 Tax Collector
 10 Front Street
 Exeter, NH 03833

Gateway At Exeter LLC

 AUTHORIZED SIGNATURE

MEMO

Lot Line Adjustment/Subdivision Plan application fee

⑈001009⑈ ⑆211371337⑆ 4499237⑈

Gateway At Exeter LLC

Town Of Exeter

11/18/2019

1009

415.00

PB #19-15

App. fee	125.00
Review	150.00
Admitters	140.00
	<hr/>
	\$ 415.00

Lowell Five

Lot Line Adjustment/Subdivision Plan application

415.00



TOWN OF EXETER, NH
APPLICATION FOR MINOR SITE PLAN REVIEW,
MINOR SUBDIVISION and/or LOT LINE ADJUSTMENT

A completed application shall contain the following items, although please note that some items may not apply such as waivers or conditional use permit:

- | | |
|--|----------------|
| 1. Application for Hearing | (X) |
| 2. Abutter's List Keyed to the Tax Map (including name and business address of all professionals responsible for the submission (engineer, landscape architect, wetland scientist, etc.) | (X)
(X) |
| 3. Checklist for plan requirements | (X) |
| 4. Letter of Explanation | (X) |
| 5. Written request and justification for waiver(s) from Site Plan/Sub Regulations | (N/A) |
| 6. Application to Connect and/or Discharge to Town of Exeter Sewer, Water, or Storm Water Drainage System(s) - if applicable | (N/A) |
| 7. Application Fees | (X) |
| 8. Seven (7) copies of 24'x36' plan set | (X) |
| 9. Fifteen (15) 11"x 17" copies of the plan set | (X) |
| 10. Three (3) pre-printed 1"x 2 5/8" labels for each abutter, the applicant and all consultants. | (X) |

NOTES: All required submittals must be presented to the Planning Department Office for distribution to other Town departments. Any material submitted directly to other departments will not be considered.

Town of Exeter



Planning Board Application for Conditional Use Permit: Wetlands Conservation Overlay District

February 2017

RECEIVED

NOV 19 2019



Town of Exeter Planning Board Application

Conditional Use Permit: Wetland Conservation Overlay District In accordance with Zoning Ordinance Article: 9.1

SUBMITTAL REQUIREMENTS:

1. Fifteen (15) copies of the Application
2. Fifteen (15) 11"x17" and three (3) full sized copies of the plan which must include:

Existing Conditions

- a. Property Boundaries
- b. Edge of Wetland and associated Buffer (Wetlands Conservation Overlay District - WCOD)
 - Prime wetland: 100'
 - Vernal Pool (>200 SF): 75'
 - Exemplary Wetland: 50'
 - Very Poorly Drained: 50'
 - Poorly Drained: 40'
 - Inland Stream: 25'
- c. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements

Proposed Conditions

- a. Edge of Wetlands and Wetland Buffers and distances to the following:
 - i. Edge of Disturbance
 - ii. Structures, roads/access ways, parking, drainage systems, utilities, wells and wastewater disposal systems and other site improvements
 - b. Name and phone number of all individuals whose professional seal appears on the plan
3. If applicant and/or agent is not the owner, a letter of authorization must accompany this application
 4. Supporting documents i.e. Letters from the Department of Environmental Services, Standard Dredge and Fill Application and Photos of the property
 5. A Town of Exeter Assessors list of names and mailing addresses of all abutters

Required Fees:

Planning Board Fee: \$50.00 Abutter Fee: \$10.00 Recording Fee (if applicable): \$25.00

The Planning Office must receive the completed application, plans and fees on the day indicated on the Planning Board Schedule of Deadlines and Public Hearings.

APPLICANT	Name: GATEWAY at EXETER, LLC
	Address: 20 TRAFALGAR SQ., STE 610, NASHUA, NH 03063
	Email Address: THOMAS@GATEWAYATEXETER.COM
	Phone: 603-880-0502
PROPOSAL	Address: EPPING ROAD
	Tax Map # 47 Lot# 6:7 Zoning District: C-3
	Owner of Record: GATEWAY AT EXETER, LLC
Person/Business performing work outlined in proposal	Name: GATEWAY at EXETER, LLC
	Address: 20 TRAFALGAR SQ., STE 610, NASHUA, NH 03063
	Phone: 603-880-0502
Professional that delineated wetlands	Name: GDOE ENVIRONMENTAL SERVICES
	Address: 8 CONTINENTAL DRIVE, EXETER, NH
	Phone: 778-0644

Town of Exeter
Planning Board Application
Conditional Use Permit: Wetland Conservation Overlay District

Detailed Proposal including intent, project description, and use of property: (Use additional sheet as needed)

SEE ATTACHED NARRATIVE

Wetland Conservation Overlay District Impact (in square footage):

Temporary Impact	Wetland: (SQ FT.)	Buffer: (SQ FT.)
	<input type="checkbox"/> Prime Wetlands _____	<input type="checkbox"/> Prime Wetlands _____
	<input type="checkbox"/> Exemplary Wetlands _____	<input type="checkbox"/> Exemplary Wetlands _____
	<input type="checkbox"/> Vernal Pools (>200SF) _____	<input type="checkbox"/> Vernal Pools (>200SF) _____
	<input type="checkbox"/> VPD _____	<input type="checkbox"/> VPD _____
	<input type="checkbox"/> PD _____	<input type="checkbox"/> PD _____
	<input type="checkbox"/> Inland Stream _____	<input type="checkbox"/> Inland Stream _____
Permanent Impact	Wetland:	Buffer:
	<input type="checkbox"/> Prime Wetlands _____	<input type="checkbox"/> Prime Wetlands _____
	<input type="checkbox"/> Exemplary Wetlands _____	<input type="checkbox"/> Exemplary Wetlands _____
	<input type="checkbox"/> Vernal Pools (>200SF) _____	<input type="checkbox"/> Vernal Pools (>200SF) _____
	<input type="checkbox"/> VPD _____	<input type="checkbox"/> VPD _____
	<input checked="" type="checkbox"/> PD <u>127,045</u>	<input checked="" type="checkbox"/> PD <u>208,500</u>
	<input type="checkbox"/> Inland Stream _____	<input type="checkbox"/> Inland Stream _____

List any variances/special exceptions granted by Zoning Board of Adjustment including dates:

MAY 22, 2019 - VARIANCE to permit a multi-family RESIDENTIAL Complex AS PART OF A MIXED - use development plan

Describe how the proposal meets conditions in Article 9.1.6.B of the Zoning Ordinance (attached for reference):

See ATTACHED NARRATIVE

ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

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SEE
ATTACHED
ABUTTERS
LIST

9.1.6 B. Conditions:

1. That the proposed use is permitted in the underlying zoning district;
2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside the Wetlands Conservation Overlay District;
3. The proposed impact has been evaluated in the context of the relative "value" of the wetland, including its ecological sensitivity, as well as its function within the greater hydrologic system. To the extent feasible, the proposed impact is not detrimental to the value and function of the wetland(s).
4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer is feasible;
5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use, that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction;
6. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater, or other reasons;
7. That all required permits shall be obtained from the New Hampshire Department of Environmental Services Water Supply and Pollution Control Division under NH RSA §485-A: 17, the New Hampshire Wetlands Board under NH RSA §483-A, and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.

SITE PLAN
PROJECT NARRATIVE

The project area under consideration for this application is known to the Exeter Assessors Department as Map 47, Lots 6 and 7 and both are currently owned by Gateway at Exeter, LLC of Nashua, NH. The parcel is located in Exeter's C-3 Epping Road Highway Commercial zoning district which allows a mix of permitted uses. The Epping Road corridor contains a number of commercial and industrial businesses. Developed commercial land abuts the property to the south and east. New Hampshire Route 101 immediately abuts the site to the north and, to the west, the property that is immediately adjacent is conservation land owned by the Town of Exeter.

The subject property contains one undeveloped, sparsely wooded lot of 60 acres and one single family residential lot of 0.34 acres. These two parcels will be consolidated and ultimately divided into three different lots. The two future lots, with frontage on Epping Road, will be developed. The remaining back land will remain in its natural state. As can be seen on the preliminary site plans the two lots to be developed contain mild topographical relief. The high point near the center of the lots is at elevation 120.0 +/- and the land slopes off in several directions to the mapped wetlands which range in elevation from 106.0 to 112.0. Wetlands on the property were flagged in 2018 by Gove Environmental Services and field located by Hayner/Swanson, Inc. All of the wetlands identified on the property are forested wetlands with poorly drained mineral soils, typical in New England and within the area. Though ultimately associated with the Little River, these wetland areas lie up gradient and distinctly separate from the river and its contiguous wetlands as defined by the Exeter Shoreland Protection District. The utilities needed to service this site (sewer, water, telephone, electric and gas) are located in Epping Road.

A mixed-use development is being proposed for the two proposed lots located along Epping Road. On May 22, 2019 the Exeter Zoning Board of Adjustment

granted a variance, with conditions, to permit a multi-family residential complex as part of a mixed-use development plan. Proposed Lot 7 will include three, 4-story, multi-family residential buildings that contain a total of 224-units. The buildings will be surrounded by parking on the north, east and west and an entrance road along the new property line to the south. Proposed Lot 6 will contain a 2-story, 48,560 square foot mixed-use building that may include a 20,040 YMCA day care facility, office/retail space and possibly a restaurant. These buildings will have a shared entrance road to Epping Road. Other site improvements include underground utilities to service the building, sidewalks, landscaping and site lighting. Stormwater management basins will accommodate the new runoff created by the proposed impervious areas of the roof, parking areas and entrance driveway. A small parking lot is proposed in the rear of the development for public access to the undeveloped land to the west.

CONDITIONAL USE PERMIT CRITERIA

Town of Exeter Zoning Ordinance Article 9.1.6.A Conditional Uses: It is being requested to allow the construction of a portion of the building, driveways, parking areas, utilities and other site improvements as shown on the attached plan within the Wetlands Conservation Overlay District.

Town of Exeter Zoning Ordinance Article 9.1.6.B Conditions:

1. That the proposed use is permitted in the underlying zoning district.

Response: The residential portion of the proposed mixed-use development is an allowed use in the C-3 zoning district per the May 22, 2019 the Exeter Zoning Board of Adjustment variance. The commercial use contemplated upon Lot 47-6 is an allowed use in the C-3 zone.

2. That the use for which the permit is sought cannot feasibly be carried out on a portion or portions of the lot which are outside of the Wetlands Conservation Overlay District. Response: Typically, mixed-use developments

require large, flat development areas to be able to accommodate the building and parking needs of the tenants. As can be seen on the site plan wetlands are located throughout the entire site. As previously stated the proposed development has been designed in the easternmost part of the property in order to avoid vernal pool impacts and to create a larger undeveloped lot to the west. Given the network of wetlands on the site, the proposed use cannot be reasonably carried out outside wetlands and their respective buffers.

- 3. A wetland scientist has conducted a functions and values study of the wetlands and deemed that the wetlands under consideration will not be negatively impacted by the development.** Response: A wetland function and value assessment was conducted using the US Army Corps Highway Methodology guidelines. Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and their inherit functions. Functions and values identified as "primary" have been determined to be significant features of the wetland being evaluated; not necessarily indicating the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site. The Highway Methodology considers 13 functions and values:

Groundwater recharge/discharge: This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.

Flood flow Alteration: This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.

Fish and Shellfish Habitat: This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.

Sediment/Toxicant/Pathogen Retention: This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.

Nutrient Removal/Retention/Transformation: This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.

Production Export: This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.

Sediment/Shoreline Stabilization: This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.

Wildlife Habitat: This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.

Recreation: This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.

Educational/Scientific Value: This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.

Uniqueness/Heritage: This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.

Visual Quality/Aesthetics: This value relates to the visual and aesthetic qualities of the wetland.

Threatened or Endangered Species Habitat: This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

The wetlands in the development area were evaluated together since they are nearly identical and, if not connected, lie in close proximity to each other. The fact that the wetlands are forested, formed in poorly drained mineral soil, and not directly associated with surface water, limits or precludes many of the functions and values listed above. The wetlands do not support Flood-flow Alteration, Fish and Shellfish Habitat, or Sediment/Shoreline Stabilization as these are derived from a close interaction between the wetland and a waterbody. The wetlands also lack or nearly lack value for Recreation, Uniqueness/Heritage, or Educational/Scientific pursuits. They consist of a uniform and very common forested wetland type and don't contain the wetland types that are typically associated with wetland supported recreation activities and traditional aesthetic qualities. The low permeability of the glacial till derived soils on the site have allowed wetland conditions to develop on the surface but do not allow significant interaction with the groundwater and are not characteristic of groundwater discharge or recharge areas.

Three functions were identified as being supported by the wetlands in the evaluation area. These are Wildlife Habitat, Production-Export, and Sediment/Toxicant Retention & Nutrient Removal. These are described in greater detail in the following sections.

Production Export – This the primary value identified in these wetland areas. The most prominent feature of the evaluation area and the wetlands is their post logging condition. This is of course temporary but significant, especially when considering habitat. Though not exemplary in the region, this does stand out as the most significant function. The early successional species currently present in the wetland areas combined with the remaining mast producing trees produce an abundant source of berries, nuts, seeds, and pollen bearing flowers. This likely

provides a substantial source of food for wildlife. Export is limited, however, by its small size and lack of a well-defined waterway or other significant avenue of export. This value is also equally supported in the upland areas of the site.

Wildlife Habitat— A moderate level of wildlife habitat is present in these wetlands. The current habitat value of the wetlands in this area is suitable for small mammals, insects, and songbirds which may use the wetlands for foraging. Other larger mammals such as deer that are able to tolerate the close proximity of the road also clearly use this area. In a fully forested condition the wildlife habitat value may be different but would still be degraded by the proximity to the road and adjacent development. Except in the small aforementioned ponded area, which supports amphibian species, the habitat value is not much different than that of the adjacent uplands.

Sediment/Toxicant Retention & Nutrient Removal – Due to its proximity to the roadway these wetlands may serve some moderate water quality function. These wetlands are likely to receive development runoff destined for Bloody Brook and Little River. The convoluted drainage pattern would provide opportunity for treatment long before reaching more defined flow paths. The lack of obvious drainage inputs and the lack of densely vegetated emergent wetland components mitigate the importance of these wetlands for these functions.

- 4. That the design, construction and maintenance of the proposed use will, to the extent feasible, minimize detrimental impact on the wetland or wetland buffer and that no alternative design, which does not impact a wetland or wetland buffer or which has less detrimental impact on the wetland or wetland buffer, is feasible.**

Response: The amount of wetland impact has been minimized by sliding the main elements of the site plan as far east as possible and avoiding any vernal pool impacts. Furthermore, the use of 3H:1V slopes along the sides of the developed areas minimize the overall impact to the wetlands. The proposed

stormwater management systems will protect water quality in the downstream wetlands.

- 5. In cases where the proposed use is temporary or where construction activity disturbs areas adjacent to the immediate use; that the landowner agrees to restore the site as nearly as possible to its original grade and condition following construction.** Response:

The proposed impacts are associated with grade changes and structures and are not temporary in nature. However, impacts associated with grading only (non-paved or building areas), will be restored to the maximum extent practical by seeding with a conservation seed mix containing herbaceous and woody shrub species for screening and wildlife habitat.

- 6. That the proposed use will not create a hazard to individual or public health, safety and welfare due to the loss of wetland, the contamination of groundwater or other reasons.** Response: Due to the nature of the proposed impacts and the clean nature of this proposed use; hazardous impacts to public health, safety and welfare are not expected. Proposed mitigation consists of preservation of the western 43.6 acres of lot 47-7 and a contribution to the Aquatic Resource Mitigation (ARM) Fund to achieve an overall 20:1 mitigation ratio per federal guidelines. This results in an ARM contribution of \$176,578.41 in addition to the preservation. The proposed method of preservation is fee simple ownership by the Town of Exeter.

- 7. That all required permits shall be obtained from the New Hampshire Department of Environmental services Water Supply and Pollution Control Division under NH RSA 485-A:17, the New Hampshire Wetlands Board under NH RSA 483-A and the United States Army Corps of Engineers under Section 404 of the Clean Water Act.** The

permits required to develop this site as shown on the proposed site plan shall be applied for in accordance with local, state and federal regulations.



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

November 19, 2019

Job #5532-SPP

Ms. Barbara McEvoy

EXETER PLANNING DEPARTMENT

10 Front Street

Exeter, NH 03833

**RE: PROPOSED CONDITIONAL USE PERMIT APPLICATION
WETLANDS CONSERVATION OVERLAY DISTRICT
CASE #19-16
170 EPPING ROAD
EXETER, NEW HAMPSHIRE**

Dear Barbara:

Please find enclosed our Exeter Planning Board Conditional Use Permit (CUP) application pursuant to the proposed Gateway at Exeter Mixed-Use Development to be located at 170 Epping Road in Exeter, NH.

The CUP application fee is as follows:

<u>Exeter Planning Board:</u>	<u>\$50.00</u>
Total Submittal Fee:	\$50.00

Please note that since the Conditional Use Permit for work within the Wetland Conservation Overlay District will be heard on the same evening as the Site Plan application we are only providing one abutter notification fee (\$140.00 which is included as part of the Site Plan application fee).

In advance we thank you for your cooperation in processing this information. As always please do not hesitate to contact me if you have any questions or comments.

Respectfully,

James N. Petropulos, P.E.

Principal Engineer/ President

HAYNER/SWANSON, INC.

ABUTTER LIST***Job No.5532****November 15, 2019*

Map	Lot No.	Name & Address
<i>OWNER(S):</i>		
47	6 & 7	Gateway at Exeter, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
<i>ABUTTERS:</i>		
40	9	State of New Hampshire Department of Transportation P.O. Box 483 Concord, NH 03302
40	11	Net Lease Realty I, Inc. Attn: Ingrid Irvin 450 S. Orange Avenue, Ste. 900 Orlando, FL 32801
41	1	State of New Hampshire Fish and Game Department 2 Hazen Drive Concord, NH 03302
46	1	12 Continental Drive, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
47	4-6	Executive Business Park Condominium c/o Sherrill Holdings, LLC Attn: John Sherrill, President 8E Continental Drive Exeter, NH 03833
47	4-15	164 Epping Rd, LLC 3 Brookhaven Road Kingston, NH 03848
47	5	Gladstone Realty, LLC 12 Bills Way Bedford, NH 03110
47	8	Ray Farm, LLC 158 Shattuck Way Newington, NH 03801
47	8-1	CKT Associates 158 Shattuck Way Newington, NH 03801
56	2	Town of Exeter 10 Front Street Exeter, NH 03833

James N. Petropulos, P.E.
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Dennis C. Pollock, LLS
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Gove Environmental Services, Inc.
Attn: Brendan Quigley, CWS
8 Continental Drive
Building #2, Unit 'H'
Exeter, NH 03833-7507

RECEIVED

NOV 19 2019



EXETER PLANNING OFFICE

TOWN OF EXETER, NH

APPLICATION FOR SITE PLAN REVIEW

OFFICE USE ONLY

THIS IS AN APPLICATION FOR:

- (x) COMMERCIAL SITE PLAN REVIEW
- () INDUSTRIAL SITE PLAN REVIEW
- (x) MULTI-FAMILY SITE PLAN REVIEW
- () MINOR SITE PLAN REVIEW
- () INSTITUTIONAL/NON-PROFIT SPR

#19-16	APPLICATION #
11/19/19	DATE RECEIVED
250.00	APPLICATION FEE
18,283.80	PLAN REVIEW FEE
140.00	ABUTTERS FEE
	LEGAL NOTICE FEE
\$18,673.80	TOTAL FEES

pdf # 1006

	INSPECTION FEE
	INSPECTION COST
	REFUND (IF ANY)

1. NAME OF LEGAL OWNER OF RECORD: GATEWAY AT EXETER, LLC
TELEPHONE: () 603-880-0502
ADDRESS: 20 TRAFALGAR SQ., Suite 610, NASHUA, NH 03063
2. NAME OF APPLICANT: GATEWAY AT EXETER, LLC
ADDRESS: 20 TRAFALGAR SQ., Suite 610, NASHUA, NH 03063
TELEPHONE: () 603-880-0502
3. RELATIONSHIP OF APPLICANT TO PROPERTY IF OTHER THAN OWNER: OWNER
(Written permission from Owner is required, please attach.)
4. DESCRIPTION OF PROPERTY: See Project Narrative
ADDRESS: 170 EPPING ROAD
TAX MAP: 47 PARCEL #: 6 : 7 ZONING DISTRICT: C-3
AREA OF ENTIRE TRACT: 60.34 Ac PORTION BEING DEVELOPED: 16.7 Ac
(2 LOTS)



5. ESTIMATED TOTAL SITE DEVELOPMENT COST \$ 4,000,000.00 +/-
6. EXPLANATION OF PROPOSAL: PROPOSED MIXED-USE DEVELOPMENT
With Accompanying Site Improvements
7. ARE MUNICIPAL SERVICES AVAILABLE? (YES/NO) YES

If yes, Water and Sewer Superintendent must grant written approval for connection.
If no, septic system must comply with W.S.P.C.C. requirements.

8. LIST ALL MAPS, PLANS AND OTHER ACCOMPANYING MATERIAL SUBMITTED WITH THIS APPLICATION:

ITEM:	NUMBER OF COPIES
A. <u>SITE PLAN SET</u>	<u>7</u>
B. <u>STORMWATER REPORT</u>	<u>3</u>
C. <u>PUMP STATION COMPUTATIONS</u>	<u>3</u>
D. <u>TRAFFIC STUDY</u>	<u>3</u>
E. <u>FISCAL IMPACT STUDY</u>	<u>3</u>
F. <u>SUPPORTING APPLICATION MATERIAL (SEE TRANSMITTAL)</u>	

9. ANY DEED RESTRICTIONS AND COVENANTS THAT APPLY OR ARE CONTEMPLATED (YES/NO) Yes IF YES, ATTACH COPY. See Survey Plan

10. NAME AND PROFESSION OF PERSON DESIGNING PLAN:

NAME: KLAYNER/SWANSON, INC. - JAMES N. PETROPULOS, P.E.

ADDRESS: 3 CONGRESS ST., NASHUA, NH 03062

PROFESSION: CIVIL ENGINEER TELEPHONE: () 603-883-2057

11. LIST ALL IMPROVEMENTS AND UTILITIES TO BE INSTALLED:

LAND CLEARING, EARTHWORK, UTILITY CONSTRUCTION,
STORM DRAINAGE, PAVING, CURBS, SIDEWALKS,
LANDSCAPING, LIGHTING, SIGNAGE



12. HAVE ANY SPECIAL EXCEPTIONS OR VARIANCES BEEN GRANTED BY THE ZONING BOARD OF ADJUSTMENT TO THIS PROPERTY PREVIOUSLY?

IF YES, DESCRIBE BELOW. (Please check with the Planning Department Office to verify)

Yes. May 21, 2019. A VARIANCE TO ALLOW MULTI-FAMILY RESIDENTIAL WITHIN A MIXED-USE DEVELOPMENT

13. WILL THE PROPOSED PROJECT INVOLVE DEMOLITION OF ANY EXISTING BUILDINGS OR APPURTENANCES? IF YES, DESCRIBE BELOW.

(Please note that any proposed demolition may require review by the Exeter Heritage Commission in accordance with Article 5, Section 5.3.5 of the Exeter Zoning Ordinance).

Yes. A SINGLE FAMILY house located on LOT 6, map 47.

14. WILL THE PROPOSED PROJECT REQUIRE A "NOTICE OF INTENT TO EXCAVATE" (State of NH Form PA-38)? IF YES, DESCRIBE BELOW.

NOTICE: I CERTIFY THAT THIS APPLICATION AND THE ACCOMPANYING PLANS AND SUPPORTING INFORMATION HAVE BEEN PREPARED IN CONFORMANCE WITH ALL APPLICABLE REGULATIONS; INCLUDING BUT NOT LIMITED TO THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS" AND THE ZONING ORDINANCE. FURTHERMORE, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 15.2 OF THE "SITE PLAN REVIEW AND SUBDIVISION REGULATIONS", I AGREE TO PAY ALL COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

DATE 11/8/2019

OWNER'S SIGNATURE

[Signature]

ACCORDING TO RSA 676.4.I (c), THE PLANNING BOARD MUST DETERMINE WHETHER THE APPLICATION IS COMPLETE WITHIN 30 DAYS OF SUBMISSION. THE PLANNING BOARD MUST ACT TO APPROVE, CONDITIONALLY APPROVE, OR DENY AN APPLICATION WITHIN SIXTY FIVE (65) DAYS OF ITS ACCEPTANCE BY THE BOARD AS A COMPLETE APPLICATION. A SEPARATE FORM ALLOWING AN EXTENSION OR WAIVER TO THIS REQUIREMENT MAY BE SUBMITTED BY THE APPLICANT.



ABUTTERS: PLEASE LIST ALL PERSONS WHOSE PROPERTY IS LOCATED IN NEW HAMPSHIRE AND ADJOINS OR IS DIRECTLY ACROSS THE STREET OR STREAM FROM THE LAND UNDER CONSIDERATION BY THE BOARD. THIS LIST SHALL BE COMPILED FROM THE EXETER TAX ASSESSOR'S RECORDS.

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SEE ATTACHED
ABUTTERS LIST



SITE PLAN REQUIREMENTS

7.4 Existing Site Conditions Plan

Submission of this plan will not be applicable in all cases. The applicability of such a plan will be considered by the TRC during its review process as outlined in Section 6.5 Technical Review Committee (TRC) of these regulations. The purpose of this plan is to provide general information on the site, its existing conditions, and to provide the base data from which the site plan or subdivision will be designed. The plan shall show the following:

APPLICANT	TRC	REQUIRED EXHIBITS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.1 Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.2 Location of the site under consideration, together with the current names and addresses of owners of record, of abutting properties and their existing land use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.3 Title, date, north arrow, scale, and Planning Board Case Number.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.4 Tax map reference for the site under consideration, together with those of abutting properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.5 Zoning (including overlay) district references.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.6 A vicinity sketch or aerial photo showing the location of the land/site in relation to the surrounding public street system and other pertinent location features within a distance of 2,000-feet, or larger area if deemed necessary by the Town Planner.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.7 Natural features including watercourses and water bodies, tree lines, significant trees (16-inches diameter (caliber) or greater measured 12-inches above ground), and other significant vegetative cover, topographic features, and any other environmental features that are important to the site design process.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.8 Man-made features such as, but not limited to, existing roads, structures, and stone walls. The plan shall also indicate which features are to be retained and which are to be removed or altered.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.9 Existing contours at intervals not to exceed 2-feet with spot elevations provided when the grade is less than 5%. All datum provided shall reference the latest applicable US Coast and Geodetic Survey datum and should be noted on the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.10 A High Intensity Soil Survey (HISS) of the entire site, or appropriate portion thereof. Such soil surveys shall be prepared by a certified soil scientist in accordance with the standards established by the Rockingham County Conservation District. Any cover letters or explanatory data provided by the certified soil scientist shall also be submitted.



<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.11 State and Federally designated wetlands, setback information, total wetlands proposed to be filled, other pertinent information and the following wetlands note: "The landowner is responsible for complying with all applicable local, state, and federal wetlands regulations, including any permitting and setback requirements required under these regulations."
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.12 Surveyed property lines including angles and bearings, distances, monument locations, and size of the entire parcel. A professional land surveyor licensed in New Hampshire must attest to said plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.13 The lines of existing abutting streets and driveway locations within 200-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.14 The location, elevation, and layout of existing catch basins and other surface drainage features.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.15 The shape, size, height, location, and use of all existing structures on the site and approximate location of structures within 200-feet of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.16 The size and location of all existing public and private utilities, including off-site utilities to which connection is planned.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.17 The location of all existing easements, rights-of-way, and other encumbrances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.18 All floodplain information, including the contours of the 100-year flood elevation, based upon the Flood Insurance Rate Map for Exeter, as prepared by the Federal Emergency Management Agency, dated May 17, 1982.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.19 All other features which would fully explain the existing conditions of the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.4.20 Name of the site plan or subdivision.



7.5 Proposed Site Conditions Plan (Pertains to Site Plans Only)

The purpose of this plan is to illustrate and fully explain the proposed changes taking place within the site. The proposed site conditions plan shall depict the following:

APPLICANT	TRC	REQUIRED EXHIBITS
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.1 Proposed grades and topographic contours at intervals not to exceed 2-feet with spot elevations where grade is less than 5%. All datum provided shall reference the latest applicable US Coast and Geodetic Survey datum and should be noted on the plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.2 The location and layout of proposed drainage systems and structures including elevations for catch basins.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.3 The shape, size, height, and location of all proposed structures, including expansion of existing structures on the site and first floor elevation(s). Building elevation(s) and a rendering of the proposed structure(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.4 High Intensity Soil Survey (HISS) information for the site, including the total area of wetlands proposed to be filled.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.5 State and Federally designated wetlands, setback information, total wetlands proposed to be filled, other pertinent information and the following wetlands note: "The landowner is responsible for complying with all applicable local, state, and federal wetlands regulations, including any permitting and setback requirements required under these regulations."
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.6 Location and timing patterns of proposed traffic control devices.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.7 The location, width, curbing and paving of all existing and proposed streets, street rights-of-way, easements, alleys, driveways, sidewalks and other public ways. The plan shall indicate the direction of travel for one-way streets. See Section 9.14 – Roadways, Access Points, and Fire Lanes for further guidance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.8 The location, size and layout of off-street parking, including loading zones. The plan shall indicate the calculations used to determine the number of parking spaces required and provided. See Section 9.13 – Parking Areas for further guidance.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.9 The size and location of all proposed public and private utilities, including but not limited to: water lines, sewage disposal facilities, gas lines, power lines, telephone lines, cable lines, fire alarm connection, and other utilities.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.10 The location, type, and size of all proposed landscaping, screening, green space, and open space areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.11 The location and type of all site lighting, including the cone(s) of illumination to a measurement of 0.5-foot-candle.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.12 The location, size, and exterior design of all proposed signs to be located on the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.13 The type and location of all solid waste disposal facilities and accompanying screening.



<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.14 Location of proposed on-site snow storage.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.15 Location and description of all existing and proposed easement(s) and/or right-of-way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.16 A note indicating that: "All water, sewer, road (including parking lot), and drainage work shall be constructed in accordance with Section 9.5 Grading, Drainage, and Erosion & Sediment Control and the Standard Specifications for Construction of Public Utilities in Exeter, New Hampshire". See Section 9.14 Roadways, Access Points, and Fire Lanes and Section 9.13 Parking Areas for exceptions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.5.17 Signature block for Board approval

OTHER PLAN REQUIREMENTS (See Section indicated)

- ☒ 7.7 Construction plan
- ☒ 7.8 Utilities plan
- ☒ 7.9 Grading, drainage and erosion & sediment control plan
- ☒ 7.10 Landscape plan
- ☒ 7.11 Drainage Improvements and Storm Water Management Plan
- N/A ☐ 7.12 Natural Resources Plan
- N/A ☐ 7.13 Yield Plan



SITE PLAN REVIEW APPLICATION CHECKLIST

A COMPLETED APPLICATION FOR SITE PLAN REVIEW MUST CONTAIN THE FOLLOWING

1. Application for Hearing (X)
2. Abutter's List Keyed to Tax Map (X)
(including the name and business address of every engineer, architect,
land surveyor, or soils scientist whose professional seal appears on any
plan submitted to the Board)
3. Completed- " Checklist for Site Plan Review" (X)
4. Letter of Explanation (X)
5. Written Request for Waiver (s) from " Site Plan Review and Subdivision
Regulations" (if applicable) (X)
6. Completed "Preliminary Application to Connect and /or Discharge to Town
of Exeter- Sewer, Water or Storm Water Drainage System(s)"(if applicable) (X)
7. Planning Board Fees (X)
8. Seven (7) full-sized copies of Site Plan (X)
9. Fifteen (15) 11"x17" copies of the final plan to be submitted **TEN DAYS**
PRIOR to the public hearing date. (X)
10. Three (3) pre-printed 1"x 2 5/8" labels for each abutter, the applicant and
all consultants. (X)

NOTES: All required submittals must be presented to the Planning Department office for distribution to other Town departments. Any material submitted directly to other departments will not be considered.

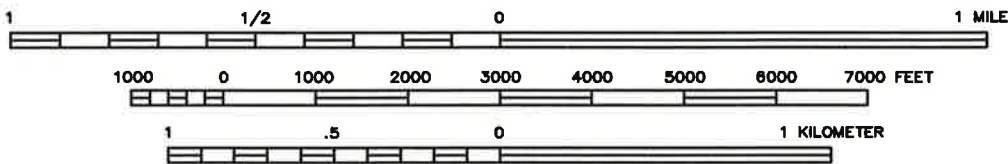
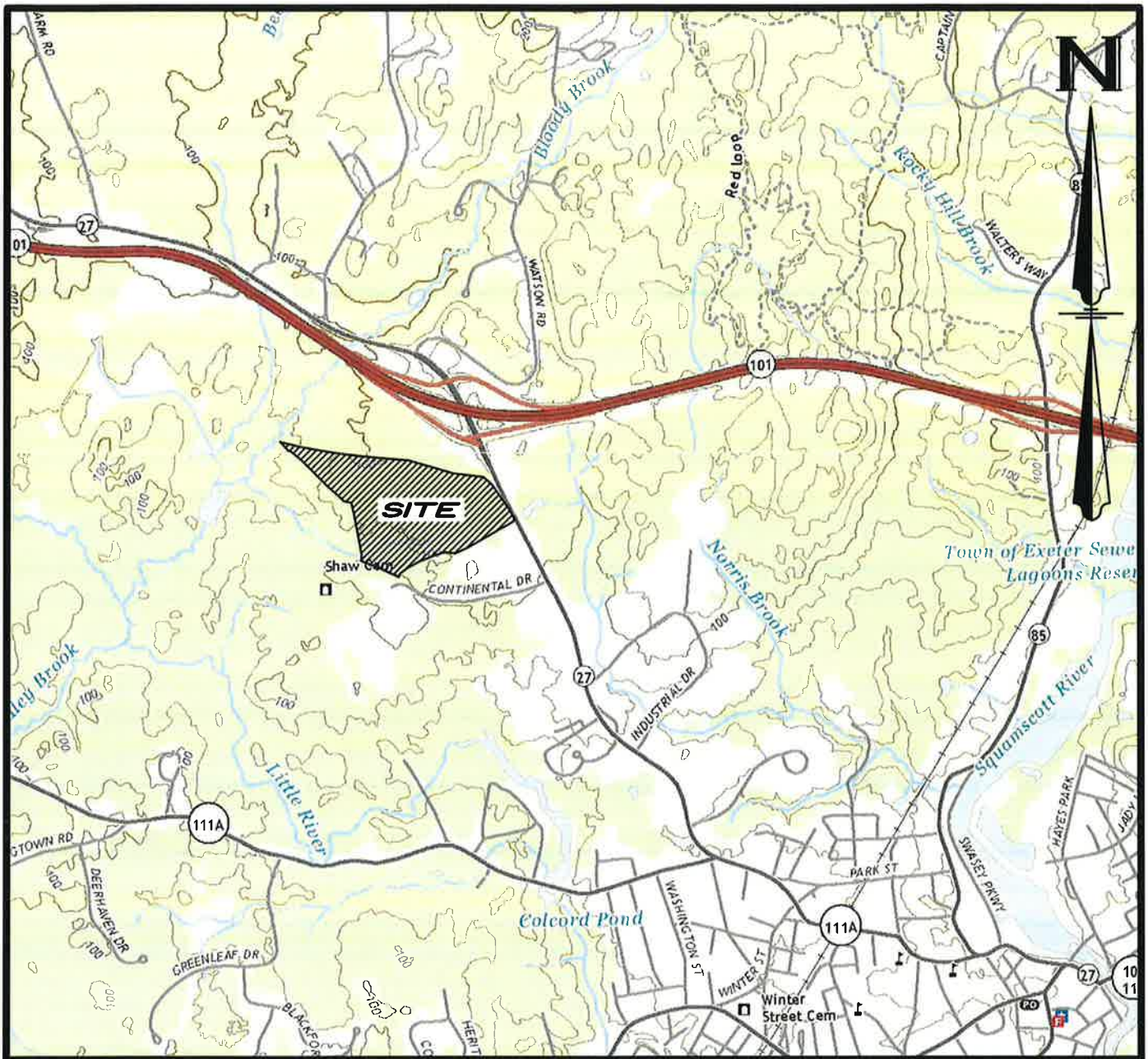
SITE PLAN
PROJECT NARRATIVE

The project area under consideration for this application is known to the Exeter Assessors Department as Map 47, Lots 6 and 7 and both are currently owned by Gateway at Exeter, LLC of Nashua, NH. The parcel is located in Exeter's C-3 Epping Road Highway Commercial zoning district which allows a mix of permitted uses. The Epping Road corridor contains a number of commercial and industrial businesses. Developed commercial land abuts the property to the south and east. New Hampshire Route 101 immediately abuts the site to the north and, to the west, the property that is immediately adjacent is conservation land owned by the Town of Exeter.

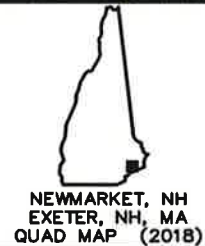
The subject property contains one undeveloped, sparsely wooded lot of 62 acres and one single family residential lot of 0.34 acres. These two parcels will be consolidated and ultimately divided into three different lots. The two future lots, with frontage on Epping Road, will be developed. The remaining back land will remain in its natural state. As can be seen on the preliminary site plans the two lots to be developed contain mild topographical relief. The high point near the center of the lots is at elevation 120.0 +/- and the land slopes off in several directions to the mapped wetlands which range in elevation from 106.0 to 112.0. Wetlands on the property were flagged in 2018 by Gove Environmental Services and field located by Hayner/Swanson, Inc. All of the wetlands identified on the property are forested wetlands with poorly drained mineral soils, typical in New England and within the area. Though ultimately associated with the Little River, these wetland areas lie up gradient and distinctly separate from the river and its contiguous wetlands as defined by the Exeter Shoreland Protection District. The utilities needed to service this site (sewer, water, telephone, electric and gas) are located in Epping Road.

A mixed-use development is being proposed for the two proposed lots located along Epping Road. On May 22, 2019 the Exeter Zoning Board of Adjustment

granted a variance, with conditions, to permit a multi-family residential complex as part of a mixed-use development plan. Proposed Lot 7 will include three, 4-story, multi-family residential buildings that contain a total of 224-units. The buildings will be surrounded by parking on the north, east and west and an entrance road along the new property line to the south. Proposed Lot 6 will contain a 2-story, 48,560 square foot mixed-use building that may include a 20,040 YMCA day care facility, office/retail space and possibly a restaurant. These buildings will have a shared entrance road to Epping Road. Other site improvements include underground utilities to service the building, sidewalks, landscaping and site lighting. Stormwater management basins will accommodate the new runoff created by the proposed impervious areas of the roof, parking areas and entrance driveway. A small parking lot is proposed in the rear of the development for public access to the undeveloped land to the west.



CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1988



VICINITY PLAN
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

PREPARED FOR:
GATEWAY AT EXETER, LLC
20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

FIG. 1

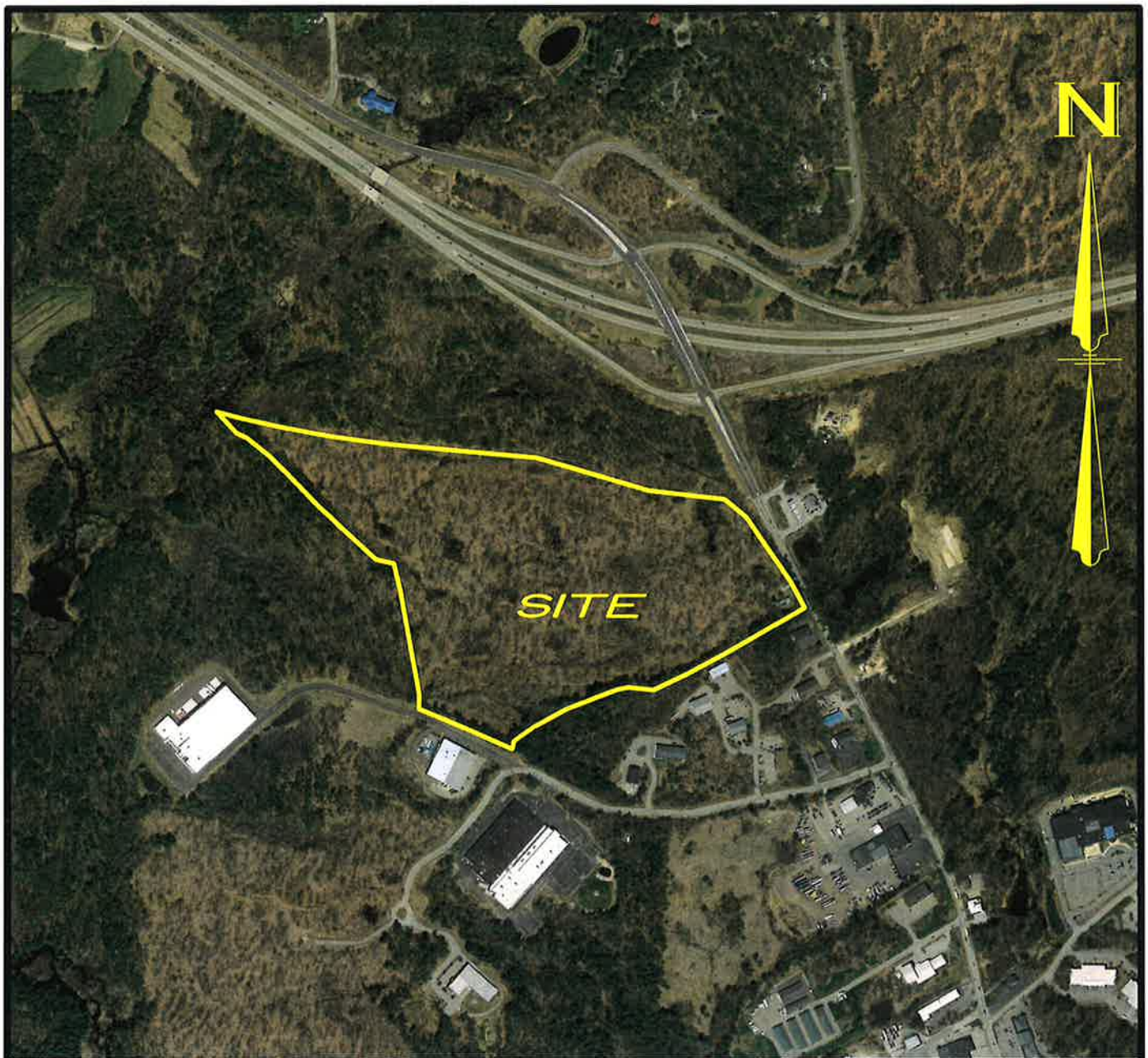
 **HSI** Hayner/Swanson, Inc.
3 Congress Street Nashua, NH 03062 (603) 883-2057
131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
www.haynerswanson.com

DRAWING: 5532SPP 19 USGS

LOCATION: J:\5000\5532\DWG\5532 SPP19

5532

File Number



0 800 1,600 2,400 FEET

AERIAL MAP
PROPOSED MIXED USE DEVELOPMENT
 EPPING ROAD
 EXETER, N.H.

FIG. 3
 PREPARED FOR:
GATEWAY AT EXETER, LLC
 20 TRAFALGAR SQUARE, NASHUA, NH 03063
 OCTOBER 2019

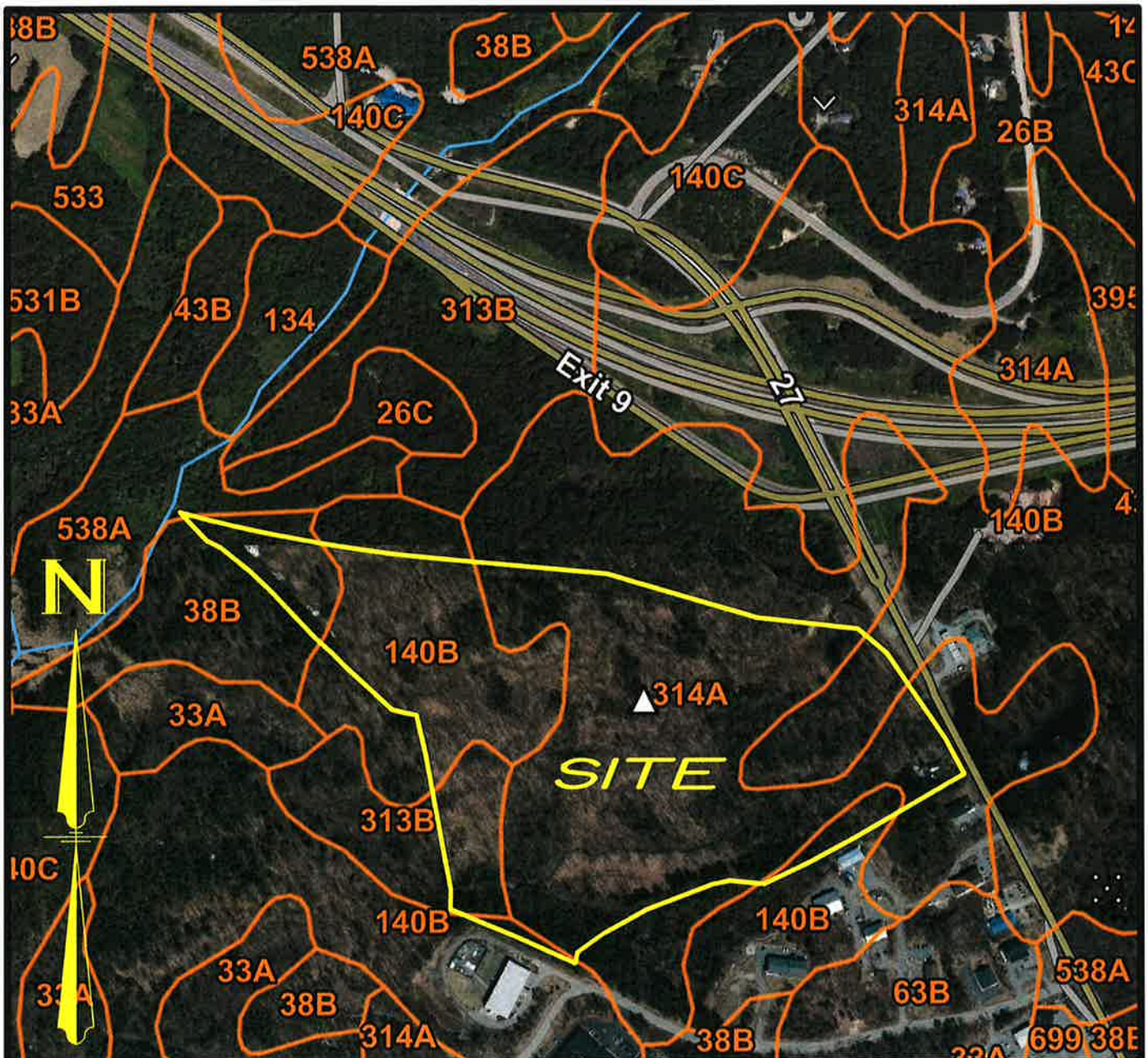
HSI Hayner/Swanson, Inc.
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 131 Middlesex Turnpike Burlington, MA 01803 (781) 203-1501
 www.haynerswanson.com

DRAWING: 5532SPP 19 USGS

LOCATION: J:\5000\5532\DWG\5532 SPP19

5532

File Number



0 600 1,200 1,800 FEET

SOIL SURVEY STAFF, NATURAL RESOURCES
CONSERVATION SERVICE, UNITED STATES DEPT.
OF AGRICULTURE. WEB SOIL SURVEY. AVAILABLE
ONLINE AT <http://websoilsurvey.nrcs.usda.gov/>
ACCESSED JULY 1, 2019

NRCS SOILS MAP
PROPOSED MIXED USE DEVELOPMENT
EPPING ROAD
EXETER, N.H.

PREPARED FOR: FIG. 2
GATEWAY AT EXETER, LLC
20 TRAFALGAR SQUARE, NASHUA, NH 03063
OCTOBER 2019

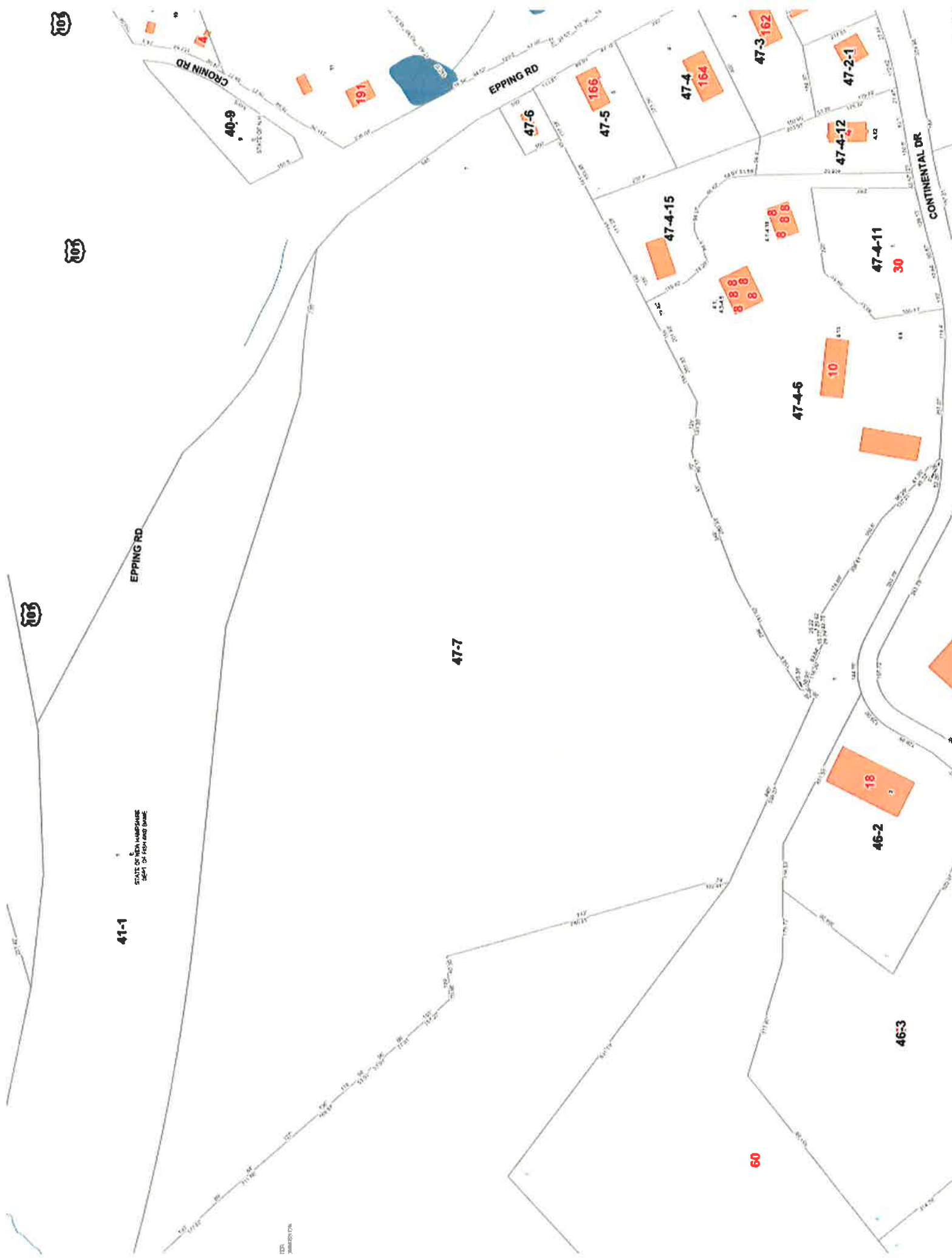
HSI Hayner/Swanson, Inc.
3 Congress Street Nashua, NH 03062 (603) 883-2057
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www.haynerswanson.com

DRAWING: 5532SPP 19 USGS

LOCATION: J:\5000\5532\DWG\5532 SPP19

5532

File Number



41-1

STATE OF TENNESSEE
CITY OF MEMPHIS

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47-4-6

46-2

46-3

47-4-11

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47-4-12

47-2-1

47-3-162

47-4

47-5

47-6

191

40-9

1

EPPING RD

CRONIN RD

EPPING RD

CONTINENTAL DR

ABUTTER LIST*Job No.5532**November 15, 2019*

Map	Lot No.	Name & Address
OWNER(S):		
47	6 & 7	Gateway at Exeter, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
ABUTTERS:		
40	9	State of New Hampshire Department of Transportation P.O. Box 483 Concord, NH 03302
40	11	Net Lease Realty I, Inc. Attn: Ingrid Irvin 450 S. Orange Avenue, Ste. 900 Orlando, FL 32801
41	1	State of New Hampshire Fish and Game Department 2 Hazen Drive Concord, NH 03302
46	1	12 Continental Drive, LLC 20 Trafalgar Square, Suite #610 Nashua, NH 03063
47	4-6	Executive Business Park Condominium c/o Sherrill Holdings, LLC Attn: John Sherrill, President 8E Continental Drive Exeter, NH 03833
47	4-15	164 Epping Rd, LLC 3 Brookhaven Road Kingston, NH 03848
47	5	Gladstone Realty, LLC 12 Bills Way Bedford, NH 03110
47	8	Ray Farm, LLC 158 Shattuck Way Newington, NH 03801
47	8-1	CKT Associates 158 Shattuck Way Newington, NH 03801
56	2	Town of Exeter 10 Front Street Exeter, NH 03833

James N. Petropulos, P.E.
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Dennis C. Pollock, LLS
Hayner/Swanson, Inc.
3 Congress Street
Nashua, NH 03062-3301

Gove Environmental Services, Inc.
Attn: Brendan Quigley, CWS
8 Continental Drive
Building #2, Unit 'H'
Exeter, NH 03833-7507



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

May 13, 2020
Job #5532-SPP

Ms. Barbara McEvoy, Deputy Code Enforcement Officer
EXETER PLANNING DEPARTMENT
10 Front Street
Exeter, NH 03833

RECEIVED

MAY 13 2020

**RE: PROPOSED GATEWAY AT EXETER SITE PLAN
TRC RE-SUBMITTAL #2
170 EPPING ROAD
EXETER, NEW HAMPSHIRE**

EXETER PLANNING OFFICE

Dear Barbara:

Pursuant to the above referenced project please find enclosed revised plans and application information that attempt to address the second round of various Town of Exeter Technical Review Committee (TRC) comments as outlined in the March 19, 2020 letter from Dave Sharples, Town Planner and the comments we received from Underwood Engineers, Inc. on March 13, 2020. Please find below our **responses** to the new and/or remaining comments we have received to date.

TOWN PLANNER COMMENTS

1. Are there any known environmental hazards on the site? If so, provide detail.
No further comment.
2. Will any smoke, odors, or excessive noise be generated by the proposal? If so, please describe. *No further comment.*
3. Although not requested by the TRC, thank you for the submission of a fiscal impact analysis. *No further comment.*
4. Show monuments in accordance with Section 9.25. Have the iron rods shown on the subdivision plan around Lot 47-6 been set? If not, please note "to be set on" plans. *No further comment.*
5. If applicable, list state permits required and the status of each. *No further comment.*
6. Recommend meeting the new requirements of Section 7.4.7 and identify significant trees in the area of disturbance and this will negate the need for a waiver. It was noted that trees greater than 20" have been identified on the Existing Conditions Plan. However, "trees proposed for removal shall be labeled as such" and "trees to remain shall be identified on the Site or Subdivision Plan. ***Please see the note added to sheet 14 of 30 that addresses this comment.***
7. Suggest providing pedestrian connection to the patio from the northerly sidewalk on Lot 6. The committee recommends that further discussion regarding

- pedestrian movement and access to and from the site occur at the planning board. *No further comment.*
8. Show the limits of clearing/disturbance on the plan and the proposed tree line and total square footage of disturbance. *No further comment.*
 9. Provide driveway/utility/drainage easements language. *I will review when sent under separate cover. **A DRAFT copy of the project's Declaration of Easements is attached herewith for your review.***
 10. Committee recommends that the traffic impact analysis is peer reviewed to determine if the proposed scope is adequate and to review and comment on the analysis. Please insure that the analysis includes the requirements of such analyses as set forth in Section 7.14.4. *I will await Mr. Pernaw's response. **It was originally thought that Mr. Pernaw, P.E., the project's traffic consultant, would respond to the VHB peer review letter dated December 24, 2019. Given that VHB is currently preparing a corridor traffic study for NH Route 27, it appears to the project team that Mr. Pernaw's input is unnecessary at this time.***
 11. Lighting plan should show 0.0 at all property lines. There should be no spillover lighting onto adjacent properties. *I accept .01 foot candles as reasonable. However, not all property lines are shown on the Photometric Plan per the proposed subdivision plan. **Per discussions with the lighting consultant, it appears that the computer-generated program they use for plotting foot-candle levels only computes to 0.1-foot-candles. Please refer to the revised Photometric Site Lighting Plans to see the added property lines to this drawing.***
 12. Provide information required per Section 9.20.3 thru 9.20.5 are met. Suggest installing a timer on the lights to be shut off/dimmed by 10pm if not in use per Section 9.20.4.4. *The note provided on the Photometric plan excludes "security lighting". Please identify on the plan which lighting fixtures fall under the category of "security lighting". **See revised Photometric Site Lighting Plans that attempt to address this comment.***
 13. Provide architectural elevations for all sides of the proposed commercial building on Lot 6 to determine if architectural standards are being met. *Elevations have been submitted. New comments: Flat roof is proposed whereas pitched roofs of 3:12 are required where practical. Provide information in accordance with **See revised Building Elevation Plans.***
 14. Show granite curbing or integrated concrete instead of cape-cod berm wherever curbing is proposed. *If you are going to continue to show asphalt curbing then you need to request a waiver from Section 9.7.5.6. **Section 9.7.5.6 states "Curbing for all traffic control and planting islands shall be granite or concrete". The site plan for this development shows a combination of curb types. Where sidewalk directly abuts curbing, concrete is to be used. For areas where more traffic is expected and for planting islands, slope granite curb is proposed. The only areas where cape cod berm (bituminous) is proposed is along the back edges of the proposed parking areas (see sheets 9-10 of 30). We believe the design meets the***

strict definition of Section 9.7.5.6 and we respectfully ask that this comment be re-considered.

15. Was the landscape plan created by a Licensed Landscape Architect? Are the plantings low maintenance and chosen for all site conditions? Will irrigation be required? If so, show locations on landscape plan. *No further comment.*
16. If applicable, please confirm that all proposed erosion control matting shall be fully biodegradable. *No further comment.*
17. The term "mixed use and "multi-use"" are used throughout the application and submitted materials but it appears that this is a two-lot project with one lot housing the commercial and the other lot a stand-alone Multi-Family project. Albeit they share access aisles and the sidewalks naturally connect, this seems to be the only connection between the two projects. To avoid confusion, I would avoid using these terms. *No further comment.*
18. Provide information that the project meets Section 11.3. It appears that waiver(s) may be needed from these provisions as currently proposed. *Waiver request provided.*
19. Provide rationale for the waiver criteria in Section 13.7 for the wetland waiver. *Rationale provided.*
20. You are asking for a waiver from the loading requirements but your narrative states that Lot 6 may "contain a restaurant" but the rationale for the waiver states that the project "will likely consist of a day care facility and smaller offices and/or retail spaces." Please show where they could be located on the plan in the event they are necessary in the future. *The response states that the reference to a restaurant has been removed from the narrative and further states that a restaurant would require a plan amendment. However, if that does actually happen, where would a loading area conceivably be located? **Clearly, if a restaurant use was proposed in the future upon this lot the location of a loading dock/area would be an important element to their plan and subject to Town review and approvals. The applicant continues to believe that the combination of a day care facility and small office/retail space does not warrant the need for a loading dock.***
21. Provide waiver from Section regarding grading within 5' of a property line. *There appears to be grading within 5 feet of the exterior property lines of the two lots that are part of the subdivision. This is a fairly unique situation since you are subdivided off a commercial lot and a residential lot and are grading within 5 feet of the exterior property lines of both those lots since they share access aisles. However, I will contemplate this more to determine if a waiver is warranted. **There is no grading proposed within 5-feet of a perimeter lot line, which we believe is the intent of this Section of the Exeter Site Plan Regulations.***
22. How will trash pick-up for the residential use and commercial uses be handled? Will there be any internal trash storage? *No further comment.*
23. Please discuss potential addressing of the site/buildings with the Code Enforcement Officer and Deputy Fire Chief. *No further comment.*
24. Suggest reducing parking stall depth from 20' to 19'. *No further comment.*

25. Since the existing residential structure is over 50 years old, demolition review in accordance with Section 5.3.5 of the Zoning Ordinance. *No further comment.*
26. Provide language on affordable housing restrictions. *Staff will review the language when submitted and will suggest legal review. **See the DRAFT Workforce Housing Covenant which is attached herewith.***
27. Will this project be phased? If so, show phasing on plans. *After review of the phasing plans, it is understood that the residential lot will be built out prior to the commercial lot with the exception of a row of seventeen parking stalls on the commercial lot. Is it the intention that these stalls would be available by folks from the residential lot until the commercial lot gets built? Provide easement language for review if this is the intention. **A DRAFT copy of the project's Declaration of Easements is attached herewith for your review.***
28. Due to the size and scope of the project, a second TRC meeting may be valuable as we move forward in the process. It is suggested that we have a second meeting prior to the first Planning Board meeting on the application. *Due to the current public health crisis, we have asked all applicants to agree to an extension until the May Planning board meeting. Once we are back up and running, we will schedule a TRC meeting prior to the next Planning Board meeting if deemed necessary at that time. **Understood***

PUBLIC WORKS COMMENTS

The following comments are based on the information provided by the applicant to the Planning Department, received February 4, 2020.

1. The phasing plans appear to describe the construction sequencing. Will all of the buildings and infrastructure be built over consecutive construction seasons or will there potentially be delays due to funding, occupancy, etc.? ***The project will be sequenced as shown on the Phasing Plans. The progress of the project will be subject to market conditions. If favorable, the construction shall proceed as outlined in the drawings. If for some reason there is a delay in construction the Phasing Plans show the minimum amount of work needed for each building to function with regard to access, parking and utilities. Obviously, final certificates of occupancy granted by the Town will take these factors into consideration.*** If it is the latter, utilities need to be shown for each phase and should be designed so that they are not dependent on a future phase being completed to be fully functional. ***Utilities have been added to the Phasing Plans.***
2. No further comment.
3. No further comment.
4. No further comment.
5. A waiver is required for bituminous cape cod berm curb. ***Please see our response to number 14 above.***

Traffic Study

6. The peer review of the traffic study indicated that more had to be studied and coordinated with the Town and NHDOT. Therefore, any suggested improvements are not understood and incomplete at this time. A discussion will need to happen regarding timing of corridor improvements with that of the proposed development once any off-site improvements are understood.
Understood.
7. The traffic study does not address on-site circulations. The following should be addressed:
 - a. DPW disagrees that creating a substandard intersection configuration when no physical constraints to correct it exist. ***If the site entrance intersections with Epping Road is the concern, the aforementioned VHB corridor study will address this comment. If the comment pertains to the interior on-site, 4-way intersection we do not believe it is 'substandard' and is typical of a project of this type.***
 - b. If vehicles entering the Northern Site Driveway from Exeter Rd [sic] are attempting to turn left into the first driveway into the parking lot and it is blocked by the vehicles attempting to leave the site, a backup on Epping Road may result. This was not addressed in the traffic study. ***If we understand this comment correctly, the concern is that the 300-feet of stacking distance in the main entrance drive is insufficient for vehicles making a left-turn into the commercial lot or to Building C. We think it is unlikely that a queue of 12+ cars would occur without a break in traffic to allow this left turn movement.***
 - c. The centerline of the road and the property line do not need to match, especially if it will improve the road way configuration. ***We disagree with staff's position that the slight curvature in this entrance drive is problematic. The property line does follow the centerline as that is common practice for an interior boundary within a project such as this.***
 - d. The waiver request states that delivery vehicles will use the driveways for parking during deliveries; however, the response letter from HSI states that there will be dedicated parking spaces for small delivery vehicles. Please clarify. If parking spaces are to be used, they should not be counted toward the required parking to be provided. If the driveways are to be used, the Fire Department should review this. ***The amended site plans show the designated 'delivery vehicle only' parking spaces.***
 - e. The circulation travel way on the west side of the commercial building may be impeded by the perpendicular parking on both sides. ***The cited circulation pattern described in this comment may be slightly affected by a parked car backing out of its space, but the impact is temporary and in our view is typical of a project such as this.***
 - f. The gate around the dumpster near the commercial building will block the traffic flow if left open as sometimes happens. ***The fencing for the enclosed dumpster areas has been pulled back from the face of the pad in case the situation you cite occurs.***

Sheets 7 and 8 of 25 Site Utility Plans

8. No further comment.
9. Provide a detail for the water blow-off. ***This detail already exists on sheet 22 of 30.***
10. No further comment.
11. No further comment.
12. The generator pad should not be over the proposed sewer main to allow for future maintenance. Maintain separation to allow for excavation of the sewer main. ***The site plans (see sheets 7-8 of 30 have been revised to address this comment.***
13. The gas, electric, and telecommunication utility layouts must be approved by the utility company for final plan approval. We understand that utility coordination is ongoing. ***Understood.***

Sheets 9 and 10 Site Layout Plans

14. No further comment.
15. No further comment.

Details

16. No further comment.
17. No further comment.
18. No further comment.
19. Confirm that all outdoor lighting fixtures are dark-sky compliant. ***A note that addresses this comment was previously added to the Photometric Site Lighting Plans.***
20. New comment: A larger diameter DMH and CB may be required where the 24-inch drain lines are used. ***Several catch basin diameters have been upsized to address this comment. In addition, please refer to note #1 on sheet 13 of 30.***

FIRE DEPARTMENT COMMENTS

1. The Applicant and representatives have received the Fire Department packet from Ass't. Chief Wilking. ***No response required***
2. Ladder truck radius diagram has been provided to Applicant by Ass't. Chief Pizon via e-mail. ***No response required***

NATURAL RESOURCE PLANNER COMMENTS

My main comment is that they are using the conservation land to meet their rec requirements. At the CC meeting there was not consensus that they wanted trails on the property given the presence of vernal pools and worried it would devalue the habitat quality. Jim was planning on coming to Tues 3/17/20 CC meeting to discuss but the meeting is cancelled. ***There is an upcoming ECC meeting (5/12/20) that will discuss this issue.***

UEI COMMENTS – LETTER DATED MARCH 13, 2020

General Comments

1. Waiver Requests: We do not recommend granting the following waiver requests:

- **Loading Spaces 9.12.1** – The proposed use(s) of the commercial building are undefined and potentially subject to change. Retail spaces typically receive regular deliveries of inventory via large trucks as opposed to office spaces that typically receive deliveries from smaller trucks. The layout also lacks designated areas for bus parking/loading (for the daycare use) as well as designated areas for daycare drop-off/pick-up. Absent of these areas, even common areas that could serve these functions, UE is struggling to understand how the site would function as designed.

As described in our formal waiver request letter, the proposed two-story, 48,560 square foot commercial building being proposed as part of this project will likely consist of a day care facility and smaller offices and/or retail spaces. By nature, these types of uses do not typically require a full-size (12' x 50') designated loading space. In fact, the proposed day care facility, which will occupy just over 20,000 square feet of this building, has no need for such a loading area. Deliveries to these types of uses generally consist of Fed Ex/UPS/Amazon/US Mail style drop-offs, which can be accommodated by the designated parking space located in front of the proposed building. If the building, for some reason is re-tenanted with a use that does require a formal loading dock area, the approved site plan would need to be revised and re-approved by the Exeter Planning Board. With regard to the drop-off/pick up process for the day-care portion of the building we have discussed the plan with the prospective tenant and they are comfortable with the drive aisle and parking arrangement.

- **Number of Parking Spaces 9.13.1** – We do not object to a waiver for an overall reduction of parking spaces, but we do not recommend granting the waiver as currently configured. The proposed development is comprised of two separate lots proposing very different uses. There is no guarantee that the lots will remain under common ownership where (at least some of) the proposed parking spaces remain "in-common". The waiver request results in approximately 50% reduction in spaces for the commercial use, which when reviewed in light of the concerns about

loading/deliveries/daycare activities expressed above, is an even greater concern.

With regard to the ownership issue raised above, the Declaration of Easements for this project will ensure that if one or both of the properties are sold, the shared parking spaces shall remain "in-common". Overall, it is our Client's opinion that the shared parking approach for the proposed development is consistent with Section 5.6.4 of the Exeter Zoning Ordinance.

- **Recreational Space 11.3.1.4** – We understand the use of the remaining parcel for conservation or recreation is still under discussion between the Conservation Commission and the Owner. The only other recreation space proposed for the 224 residential units is a small pool, approx. 30'x18'. ***We will discuss with the Exeter Planning Board.***

Permits

2. **Wetlands Disturbance:** There will be temporary disturbance to the wetlands to install/construct the pedestrian bridge, as equipment will need to cross. This area needs to be added to the plans, and the wetlands permit should be amended. Note(s) should be added to clarify restoration requirements. ***The proposed pedestrian bridge originally shown on the site drawings has been removed.***
3. It is noted that some of the proposed wetland disturbance is within the public ROW. As such, the Town and/or NHDOT as appropriate may need to be listed as the landowner on the wetland impact permit. The NHDES may require a Letter of Authorization from the Town/NHDOT to apply for the permit. ***The applicant will look into this issue.***
 - Note: Excavated soils contained within the NHDOT-controlled ROW are considered Limited Re-Use Soils (LRS). The applicant is advised to discuss LRS protocols and restrictions as they may relate to this project in order to develop a plan for the management of the materials. ***A note has been added to sheet 5 of 30 that addresses this comment.***

Site Layout

4. **Perimeter Buffer:** A 50' perimeter buffer is required per section 9.6.1.2. This is not met in all locations. A waiver is required. ***We not believe that this regulation is applicable to the proposed development since the requirement is for "Open space/Cluster developments".***
5. **Delivery Spaces:** The response letter states there will be spots dedicated to small package delivery vehicles. Please label those spaces. Clarify if the dedicated spaces are included in the parking calculation and accounted for in the waiver request? ***The amended site plans show the designated 'delivery vehicle only' parking spaces. These spaces are not included in the overall parking count.***

6. **Dumpster Pad:** The dumpster pad for the commercial building is straddling the property line. This should be moved entirely onto the commercial parcel. ***This particular dumpster pad will contain two dumpsters, one for trash and one for recyclables. This dumpster is intended to be used by the commercial building. We located this element in such a way that it would be easy to access by waste management vehicles. The fact that a portion of the dumpster enclosure lies on another lot is insignificant since easements between the parcels will allow this to occur.***
7. **Bollards:** Bollards should be strategically placed around the sewer pump station and generator area for protection. ***The proposed pump station and generator area is protected by a raised landscape island. We suggest that the area be reviewed upon completion of construction to determine if additional protection, in the form of bollards, are necessary.***
8. **Fenced Area:** The purpose of the fenced in area to the north of the pool is unclear. ***Sheet 10 of 30 labels this space as a "PLAY AREA" for children within the development.***
9. **Building Setback:** Building C is shown with less than the required 10' setback from parking areas on the southeast side. A waiver is required. ***The site plans have been revised to address this comment (see sheet 9 of 30).***

Grading and Drainage Plans

10. **Dumpster Pads:** Dumpster pads should be sloped towards the parking area or curbed to prevent runoff from the dumpster areas from directly entering wetlands or stormwater treatment areas. ***Notes have been added to sheets 5-6 of 30 indicating that the dumpster pads shall slope towards the adjacent pavement. This will ensure that runoff from the pads enter into the stormwater management areas and not directly into any wetlands. With regard to the dumpster pad behind proposed Building 'C', it will sheet drain flow directly into the adjacent sediment forebay, which is where we want the runoff to enter.***
11. **Steep Grades off of Pavement:** Please confirm guardrails will be installed anywhere slopes coming off the pavement are greater than 3:1. ***See note #9 that has been added to sheet 5 of 30.***

Utilities

12. **Sewer Easement:** The force main from the residential lot crosses through the commercial lot. Easement lines should be shown. ***A DRAFT copy of the project's Declaration of Easements is being submitted herewith.***
13. **Shared Drainage System:** The closed drainage system on the commercial lot crosses onto the residential lot, and the stormwater from the commercial lot is managed and treated on the residential lot. Please address whether this will be handled through easements, agreements, deed restrictions, etc. ***A DRAFT copy of the project's Declaration of Easements is being submitted herewith.***
14. **Gas Service:** A gas service is shown to the commercial building. If the residential buildings will also be serviced by gas, the gas lines should be shown.

The proposed residential buildings will not be serviced with natural gas.

15. Offset from Building: The center of DMH 44 appears to be approximately 4' from the outside wall of Building B. Moving this structure further away from the building should be considered. ***DMH 44 has been moved 3-feet further away from the building. Please see sheet 8 of 30.***

16. Sewer – Drainage Separation: The horizontal distance between the 8" sewer and CB 21 should be increased. ***Said separation has been increased by the slight relocation of SMH 2. Please see sheet 7 of 30.***

Detail Sheets (Sheets 16-22)

17. Dumpster Pad: The dumpster pad requires end welded rebar. Was this really the intent or is this note a hold-over in the detail? ***See the revised detail on sheet 18 of 30.***

Stormwater Treatment, Design and Modeling

18. Freeboard in the 50-year event: Both Stormwater Management Areas A & B approach overtopping in the 50-year storm event. The New Hampshire Stormwater Manual, Volume 2, provides guidance recommending a 1' freeboard to overtopping the basin during the 50-year event. ***Understood.***

Other

Renderings: The Procon elevation renderings do not match the site plan. Coordination is ***Please refer to the revised Building Elevation Plan.***

Please do not hesitate to contact our office if you have any questions or need additional information.

Respectfully,



James N. Petropulos, P.E.
Principal Engineer/ President
Hayner/Swanson, Inc.



Hayner/Swanson, Inc.

Civil Engineers/Land Surveyors

November 19, 2019

Revised: February 3, 2020

Revised: May 13, 2020

Job #5532 - SPP

Mr. Langdon Plummer, Chairman
Exeter Planning Board
10 Front Street
Exeter, NH 03833

RECEIVED

MAY 13 2020

**RE: SITE PLAN WAIVER REQUESTS
PROPOSED GATEWAY AT EXETER DEVELOPMENT
CASE #19-16
170 EPPING ROAD
EXETER, NH**

EXETER PLANNING OFFICE

Dear Sir:

On behalf of our client, Gateway at Exeter, and in accordance with Section 13.7 of the Town of Exeter Site Plan Review and Subdivision Regulations (SPR), we respectfully request the following waivers for the above referenced project.

WAIVER REQUEST #1

SPR Regulation: Section 7.5.4 requires High Intensity Soils Survey (HISS) information to be added to the site plan.

Waiver Request: To waive the requirement that the site plan set shows HISS information.

Basis of Waiver: HISS mapping shows the general soil types of the land with an emphasis on the drainage class of the soils. The submitted plan set includes a Site Specific Soils Map prepared by Gove Environmental Services of Exeter, NH. Site Specific Soils Mapping (SSSM) is a more detailed representation of the on-site soils. Both methods provide the Town with a good understanding of the on-site soils. The main reason that Site Specific Soils Mapping was used is that it is a requirement of the New Hampshire Department of Environmental Services Alteration of Terrain Permit process.

Waiver Criteria – SPR Section 13.7

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property: The difference between these types of soils mapping (HISS v. SSSM) has no detrimental impact to the general public.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property: Site Specific Soils Mapping is the preferred method of the New Hampshire Department of Environmental Services Alteration of Terrain Program.

Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out: Since Site Specific Soils Mapping is generally considered to be more detailed than a High Intensity Soils Survey it would be unnecessary effort and expense for our client to have to do both.

The granting of the waiver will not be contrary to the spirit and intent of the regulations: This waiver is not contrary to the Exeter regulations since we are providing a more detailed soils mapping that the code requires.

The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan: The request is not in variance to the Zoning Ordinance or Master Plan.

WAIVER REQUEST #2

SPR Regulation: Section 9.7.5.5 requires that landscape islands be provided in parking lots between every ten to fifteen spaces to avoid long rows of parked cars.

Waiver Request: To allow parking aisles in excess of ten to fifteen (10-15) parking spaces without the use of a landscaped island.

Basis of Waiver: As can be seen on the site plans, the proposed development will contain several small to medium size parking areas around the buildings. Curbed islands are proposed in the parking areas to define traffic patterns and

provide areas for landscaping. The proposed design attempts to balance the amount of site landscaping with the ability to provide ease of snow plowing and general maintenance of the parking lots.

Waiver Criteria – SPR Section 13.7

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property: This request will not adversely impact any residents or properties in the Town of Exeter.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property: As described above the intent of the proposed parking areas is to provide for a reasonable balance of defining turning movements, providing green spaces and ease of snow plow maintenance.

Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out: The hardship of complying with this regulation would be the loss of approximately thirteen (13) parking spaces for the entire development.

The granting of the waiver will not be contrary to the spirit and intent of the regulations: The proposed site enjoys significant exterior buffers and provides for over 60% total open space where 30% is required for this zone.

The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan: The request is not in variance to the Zoning Ordinance or Master Plan.

WAIVER REQUEST #3

SPR Regulation: Section 9.9.2 requires a seventy-five (75) foot structural and parking setback from wetlands that contain poorly drained soils.

Waiver Request: To allow portions of the proposed building and parking areas to be constructed within the seventy-five (75) foot setback.

Basis of Waiver: As can be seen on the plans, wetlands are prevalent throughout this property. In order to meet the development program needs of the proposed building there are numerous areas where the building and parking

encroaches into the seventy-five (75) foot setback. Without these encroachments this property would be unable to accommodate this proposed development.

**Town of Exeter Site Plan Review and Subdivision Regulations Section
9.9.3 Wetland Waiver Guidelines:**

1. Relative value of the wetland including its ecological sensitivity and function with the greater landscape.

Wetlands on the site are predominantly seasonally saturated forested wetlands dominated by red maple (PFO1E) with an understory of highbush blueberry, maleberry, and winterberry. These exist as a complex pattern of small fingers and pockets between ledge, small topographical variations, and larger areas of upland. Other than a single area in the northeast corner which has been observed with standing water during most site visits, they lack significant surface hydrology except seasonally and after significant rain. No streams are present in the development area and no clearly identifiable drainage pattern is evident when viewing the wetlands from the ground. Overall, though, drainage is to the west towards Bloody Brook and Little River.

Generally, these type of wetlands function as buffers for the associated waterways and wetland complexes that lie lower in the drainage basin, Bloody Brook and Little river in this case. Water quality buffering function is derived from the complex drainage path water must take before reaching these waterways. Habitat function is generally not wetland specific and is related primarily to the area being undeveloped woodland.

This is in contrast to the wetlands on the western portion of the property where preservation is proposed. While substantially similar, these wetlands contain a number of vernal pools which likely function together and support significant habitat. Drainage is also better defined with several more direct routes to the waterways. For these reasons, these wetlands in this area and their associated buffers are more important to the protection of downstream resource areas.

2. Functions and Values Assessment

A wetland function and value assessment was conducted using the US Army Corps Highway Methodology guidelines. Functions are self-sustaining properties of wetlands, which exist in the absence of human involvement. Values refers to the benefits gained by human society from a given wetland or ecosystem and their inherit functions. Functions and values identified as "primary" have been determined to be significant features of the wetland being evaluated; not necessarily indicating the wetland performs these functions or values at a significant level in comparison to other wetlands in the region or even near the site. The Highway Methodology considers 13 functions and values:

Groundwater recharge/discharge: This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where ground water can be discharged to the surface.

Flood flow Alteration: This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.

Fish and Shellfish Habitat: This function considers the effectiveness of seasonal or permanent water bodies associated with the wetland in question for fish and shell fish habitat.

Sediment/Toxicant/Pathogen Retention: This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants or pathogens.

Nutrient Removal/Retention/Transformation: This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers or estuaries.

Production Export: This function relates to the effectiveness of the wetland to produce food or usable products for human, or other living organisms.

Sediment/Shoreline Stabilization: This function relates to the effectiveness of a wetland to stabilize stream banks and shorelines against erosion.

Wildlife Habitat: This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and or migrating species must be considered.

Recreation: This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting and other active or passive recreational activities. Consumptive opportunities consume or diminish the plants, animals or other resources that are intrinsic to the wetland, whereas non-consumptive opportunities do not.

Educational/Scientific Value: This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.

Uniqueness/Heritage: This value relates to the effectiveness of the wetland or its associated water bodies to produce certain special values. Special values may include such things as archeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geological features.

Visual Quality/Aesthetics: This value relates to the visual and aesthetic qualities of the wetland.

Threatened or Endangered Species Habitat: This value relates to the effectiveness of the wetland or associated water bodies to support threatened or endangered species

The wetlands in the development area were evaluated together since they are nearly identical and, if not connected, lie in close proximity to each other. The fact that the wetlands are forested, formed in poorly drained mineral soil, and

not directly associated with surface water, limits or precludes many of the functions and values listed above. The wetlands do not support Flood-flow Alteration, Fish and Shellfish Habitat, or Sediment/Shoreline Stabilization as these are derived from a close interaction between the wetland and a waterbody. The wetlands also lack or nearly lack value for Recreation, Uniqueness/Heritage, or Educational/Scientific pursuits. They consist of a uniform and very common forested wetland type and don't contain the wetland types that are typically associated with wetland supported recreation activities and traditional aesthetic qualities. The low permeability of the glacial till derived soils on the site have allowed wetland conditions to develop on the surface but do not allow significant interaction with the groundwater and are not characteristic of groundwater discharge or recharge areas.

Three functions were identified as being supported by the wetlands in the evaluation area. These are Wildlife Habitat, Production-Export, and Sediment/Toxicant Retention & Nutrient Removal. These are described in greater detail in the following sections.

Production Export – This the primary value identified in these wetland areas. The most prominent feature of the evaluation area and the wetlands is their post logging condition. This is of course temporary but significant, especially when considering habitat. Though not exemplary in the region, this does stand out as the most significant function. The early successional species currently present in the wetland areas combined with the remaining mast producing trees produce an abundant source of berries, nuts, seeds, and pollen bearing flowers. This likely provides a substantial source of food for wildlife. Export is limited, however, by its small size and lack of a well-defined waterway or other significant avenue of export. This value is also equally supported in the upland areas of the site.

Wildlife Habitat— A moderate level of wildlife habitat is present in these wetlands. The current habitat value of the wetlands in this area is suitable for small mammals, insects, and songbirds which may use the wetlands for foraging. Other larger mammals such as deer that are able to tolerate the close proximity of the road also clearly use this area. In a fully forested condition the wildlife habitat value may be different but would still be degraded by the proximity to the road and adjacent development. Except in the small aforementioned ponded area, which supports amphibian species, the habitat value is in not much different than that of the adjacent uplands.

Sediment/Toxicant Retention & Nutrient Removal – Due to its proximity to the roadway these wetlands may serve some moderate water quality function. These wetlands are likely to receive development runoff destined for Bloody Brook and Little River. The convoluted drainage pattern would provide opportunity for treatment long before reaching more defined flow paths. The lack of obvious drainage inputs

and the lack of densely vegetated emergent wetland components mitigate the importance of these wetlands for these functions.

The proposed project incorporates several important design choices to mitigate residual impacts to wetlands adjacent to development area. Most importantly is the overall layout of the project which aggregates wetland impacts in a single large block in the eastern part of the property. This largely avoids segmenting wetlands and limits potential residual edge impacts to a single perimeter surrounding the development. The graded areas along this perimeter will be seeded with a conservation seed mix and planted with shrubs to provide screening and provide habitat and screening. These plantings will also offer long term stability of the slopes.

Impacts to wetland in the northeast corner of the site were avoided in order to preserve the more specific wetland habitat present in this area. This results in a loss of the direct wetland connection (Impact Area C) between these wetlands and the wetlands to the west of the development. There are several characteristics of the wetlands and the topography in general which mitigate the potential effects of this segmentation on both side of the development. First is the very flat topography in that area with little discernable east to west flow. The semi-permanent surface hydrology of the small area close to Epping road is discrete and does not extend west. Though partially upland, a near identical habitat connection is being maintained at the edge of the property and more broadly in the wetland just off-site to the north on NHF&G managed land. Surface water will also drain in this direction through, the wetland associated with Impact Area D, and into wetland west of the development. A small adjustment has been made to the slope grading just South of Stormwater Management Pond B to facilitate movement of surface water to its original flow path.

3. Use cannot be reasonably carried out outside of the buffers

Given the network of wetlands on the site, the proposed use cannot be reasonably carried out outside wetlands and their respective buffers.

4. Effort to minimize impacts to the buffer

Several development proposals and concepts have been advanced for this property over the years. Most of these made use of the entire site and all of them involved wetland and buffer impacts of a similar magnitude. They also, however, involved impacts to vernal pools and to the wetlands closer to the Little River Conservation Land. In general, an alternate development proposal which may appear to minimize wetland and buffer impacts by using a larger portion of the property ends up creating a network of roads and buildings. This ultimately results in a larger overall impact to the wetlands through proximity impacts and fragmentation.

The current proposal seeks to minimize impacts by avoiding this type of development. While extensive in terms of its direct impacts, the current proposal utilizes only 16 acres closest to Epping Road and entirely avoids impacts to the more valuable western portion of the property. This avoids impacts to vernal pool resources and maintains an unfragmented wetland system and habitat block contiguous to the Little River Conservation Land. Within the development area buffer impacts have been minimized with the use of steep grading and the restoration slopes, where appropriate, using native restoration seed mixes.

5. Drainage facilities within the buffer

The proposed stormwater management intent is to provide quantitative and qualitative attenuation of stormwater runoff produced by this development. It is being proposed to include a number of features designed to improve water quality of the stormwater runoff. Deep sump catch basins and sediment fore-bays are used to reduce velocities and settle out suspended solids. The surface-type detention and "wet pond" basin areas will provide for added residence time so that additional settling of suspended solids can occur. Furthermore, by using a multi-stage outlet control structure at each treatment area, peak flow rates can be reduced to the pre-development rates.

6. Recommendations from the Exeter Conservation Commission

On November 12, 2019 the Exeter Conservation Commission voted no objection to the proposed development. A formal letter is pending.

7. Mitigation Proposal

Proposed mitigation consists of preservation of the western 43.6 acres of lot 47-7 and a contribution to the Aquatic Resource Mitigation (ARM) Fund to achieve an overall 20:1 mitigation ratio per federal guidelines. This results in an ARM contribution of \$176,578.41 in addition to the preservation. The proposed method of preservation is fee simple ownership by the Town of Exeter.

Waiver Criteria – SPR Section 13.7

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property: Development within the 75-foot setback will not adversely impact any surrounding properties or be detrimental to the public safety, health or welfare.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property: There are very few properties in Exeter that have so many poorly drained wetland areas spread out across the site. Our

approach has been to protect the west part of the site, which contains approximately 10 vernal pools, and develop the east part of the property.

Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out: The property is unique in the sense that it is riddled with fingers of poorly drained soils spread out across the entire 60-acre site. By focusing the project in the eastern portion of the site we are able to protect the vernal pools located in the western portion of the property.

The granting of the waiver will not be contrary to the spirit and intent of the regulations: The work within the 75-foot setback is mitigated by a balance of open space within the project area and the preservation of a sizeable property behind this site.

The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan: The request is not in variance to the Zoning Ordinance or Master Plan.

WAIVER REQUEST #4

SPR Regulation: Section 9.12.1 which requires a total of five (5) of loading spaces for the commercial building within this project.

Waiver Request: To allow a commercial building with no off-street loading spaces.

Basis of Waiver: The proposed two-story, 48,560 square foot commercial building being proposed as part of this project will likely consist of a day care facility and smaller offices and/or retail spaces. By nature, these types of uses do not typically require a full-size (12' x 50') designated loading space. In fact, the proposed day care facility, which will occupy just over 20,000 square feet of this building, has no need for such a loading area; nor does the smaller office/retail spaces being considered. Deliveries to these types of uses generally consist of Fed Ex/UPS/Amazon/US Mail style drop-offs, which can be accommodated by the over-sized parking space provided in the front parking area (see Site Plan). If the building, for some reason is re-tenanted with a use that does require a formal loading dock area, the approved site plan would need to be revised and re-approved by the Exeter Planning Board.

Waiver Criteria – SPR Section 13.7

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property: Being a private lot and development, this waiver, if granted, will not adversely impact the public safety, health or welfare.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property: The type of mixed-uses anticipated for this building do not typically need a large loading-dock area.

Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out: A loading area (12 feet x 50 feet) if required for this lot would significantly impact the vehicular access around the building and reduce the number of parking spaces provided.

The granting of the waiver will not be contrary to the spirit and intent of the regulations: Since the intended uses do not require a full loading dock area, we think the spirit and intent of the regulations is met. A designated 'Delivery Van Parking Only' space has been provided in the front parking field of this lot.

The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan: This request does not vary the provisions of the Exeter Zoning Ordinance or Master Plan.

WAIVER REQUEST #5

SPR Regulation: Section 9.13.1 which requires that the required number of parking spaces shall conform to Article 5.6.6 Off-Street Parking Schedule as outlined in the Exeter Zoning Ordinance.

Waiver Request: To allow 420 parking spaces where 538 spaces are required by Article 5.6.6.

Basis of Waiver: Article 5.6.5 gives the Planning Board the authority to grant reductions in the number of required spaces as part of a site plan review in order to promote better utilization of parking areas, reduction in impervious surfaces and conservation of open space lands.

Furthermore, Article 5.6.4 recognizes that the concept of 'shared parking' may be utilized by a project with two or more uses. Shared parking, of course, means that one or more uses share a common parking lot so that it is used more efficiently. The concept of different uses utilizing parking spaces at different times of the day takes advantage of the fact that parking spaces are only used part-time. The goal is to prevent overbuilding parking lots that have a significant portion of unused spaces. For this particular project, the proposed commercial building would have a peak parking demand during the weekday and possibly weekend for retail uses. The multi-family residential part of the development would have a peak parking demand on evenings and weekends. The implementation of the shared parking concept can be governed by the owner through easements, covenants and lease agreements with its tenants.

This request is being made based on the shared parking evaluation below. We think this approach is reasonable based on the known facts of the project and the information provided in the publication entitled "TDM Encyclopedia, Victoria Transport Policy Institute, dated December 21, 2015".

The required number of spaces per Article 5.6.6 Off-Street Parking Schedule of the Exeter Zoning Ordinance is:

LOT 47-6

REQUIRED:

CHILD DAY CARE:	1 SP/EMPLOYEES x 40 EMPLOYEES	= 40 SPACES
	1 SP/3 STUDENTS x 163 STUDENTS	= 55 SPACES
RETAIL:	1 SP/300 SF x 11,225 SF	= 37 SPACES
OFFICES:	1 SP/300 SF x 17,295 SF	= 58 SPACES

LOT 47-6 REQUIRED: 190 SPACES

PROVIDED: (INCLUDING 6 HANDICAP SPACES) = 98 SPACES

LOT 47-7

REQUIRED:

DWELLING UNITS:	2 SP/2 BED UNIT x 68 UNITS	= 136 SPACES
	1 SP/1 BED UNIT x 156 UNITS	= 156 SPACES
	1 SP/FOR GUESTS/4 UNITS x 224 UNITS	= 56 SPACES

LOT 47-7 REQUIRED: 348 SPACES

PROVIDED: (INCLUDING 14 HANDICAP SPACES) = 322 SPACES

TOTAL REQUIRED = 538 SPACES

TOTAL PROVIDED = 420 SPACES

Table 1 below represents estimated Parking Occupancy Rates and minimum number spaces for the various uses within this project throughout the course of a week.

Notes:

1. Child Day Care rates are estimated as they are not found in any shared parking publications. Based on a conversation with the potential child day care provider drop off times range between 7AM-9AM and pick up times between 3PM-5PM. This provider indicated that the type of drop off/pick up ranges from curbside to parents parking and escorting their child in and out of the building. A bus drops off older children after school. Given the above the Parking Occupancy Rates in Table 1 are considered to be conservative.
2. Table 1 does not include any pedestrian traffic from the residential portion of the project to an office/retail use in the commercial building.

Results:

1. Provided parking meets the needs as identified in the shared parking analysis. Highest number of spaces required is 395 while 421 spaces are provided.
2. The project would contain up to 10% more spaces than the required minimum. This is considered to be an acceptable overage to account for peak periods.
3. The benefits of the shared parking concept are less pavement, less stormwater runoff, more open spaces upon the site.

Waiver Criteria – SPR Section 13.7

The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property: This parking reduction request will not be detrimental to the public safety, health or welfare or injurious to other properties since it involves a private development.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property: The development is unique in the sense that it has the opportunity to share parking uses with non-coincidental peaks.

Because of the particular physical surroundings, shape or topographical conditions of the property involved, a particular hardship

Table 1 Parking Occupancy Rates and Required Spaces

Uses	Required # of Spaces	M-F 8 AM - 5 PM	# Spaces	M-F 6 PM - 12 AM	# Spaces	M-F 12 AM - 6 AM	# Spaces	Sat - Sun 8 AM - 5 PM	# Spaces	Sat - Sun 6 PM - 12 AM	# Spaces	Sat - Sun 12 PM - 6 AM	# Spaces
Multi-Family Residential (224 Units)	348	60%	209	100%	348	100%	348	80%	278	100%	348	100%	348
Offices (17,299 SF)	58	100%	58	20%	12	5%	3	5%	3	5%	3	5%	3
Retail (11,225 SF)	37	90%	33	80%	30	5%	2	100%	37	70%	26	5%	2
Child Day Care (20,040 FS)	82	50%	41	5%	4	5%	4	50%	41	5%	4	5%	4
TOTALS			341		394		357		359		381		357

to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out: Meeting the required number of spaces would likely necessitate additional wetland and buffer impacts.

The granting of the waiver will not be contrary to the spirit and intent of the regulations: It is the applicant's opinion that this waiver request is in keeping with Article 5.6.4 of the Exeter Zoning Ordinance in that it seeks to reduce paved areas and increase open space within the project.

The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan: This request does not vary the provisions of the Exeter Zoning Ordinance or Master Plan.

CONCLUSION:

This Project is designed to concentrate open space and focus development in a relatively small lot area. The design of the Project attempts to manage the impervious areas (building footprint and parking areas) to what is reasonably required for the entire site. The site improvements are shared to some extent and efficiently plan for and meet the needs of a residential complex and the adjacent commercial complex. In designing to efficiently accomplish the overall goals, some of the specific regulations (which are designed to generally apply to site plans) have a particularly harsh impact on this Project. The requested waivers relate to requirements which would cause unnecessary hardships and difficulties under the circumstances of this Project.

This Project will provide workforce rental housing. Workforce rental housing is far more difficult to construct and operate than workforce housing units for sale. Under the rental workforce housing guidelines, the units must be affordable to individuals with sixty percent (60%) of the medium income. Whereas, for workforce housing for sale, the homes must be affordable to individuals who have one hundred percent (100%) of the medium income. As a workforce housing rental project, the collective impact of ordinances and regulations cause significant expense and present a significant impediment to affordability.

The waivers requested from the Site and Subdivision Regulations are waivers which will not cause any harm to the health, safety, or welfare of the public. There is no public benefit to strict application of the rules because strict application will not advance the purposes of Zoning or Planning regulations. Strict application of the certain regulations is not necessary or reasonable. A waiver is uniquely appropriate.

Thank you for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to be 'JP', with a large, sweeping flourish extending to the left.

James N. Petropulos, P.E.
President/Principal Engineer
HAYNER/SWANSON, INC.